



St. Charles Parish
Meeting Agenda
Parish Council
Agenda

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
scpcouncil@st-charles.la.us
<http://www.stcharlesparish-la.gov>

Council Chairman Wendy Benedetto
Councilmembers Carolyn K. Schexnaydre, Snookie Fauchaux,
Terrell D. Wilson, William Billy Woodruff, Paul J. Hogan,
Larry Cochran, Traci A. Fletcher, Julia Fisher-Perrier

Monday, July 1, 2013	6:00 PM	Council Chambers, Courthouse
	Final	

CALL TO ORDER

PRAYER

Father David Rabe
St. Anthony of Padua Catholic Church, Luling
St. Mark Catholic Church, Ama

PLEDGE

Father David Rabe
St. Anthony of Padua Catholic Church, Luling
St. Mark Catholic Church, Ama

APPROVAL OF MINUTES

Regular Meeting - June 17, 2013

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

1 **2013-0232** (7/1/2013, St. Pierre, Jr.)
 In Recognition: Marie Keller Vial

- 2013-0234 (7/1/2013, St. Pierre, Jr.)
In Recognition: Trash Bash Awards
2013 Spring Trash Bash Award: Most Volunteers (organization)
R.K. Smith Middle School
2013 Spring Trash Bash Award: Most Bags (organization)
St. Charles Parish 4-H
2013 Spring Trash Bash Award: Most Volunteers (families and residents)
Laura Guidry
Julia Fisher-Perrier
2013 Spring Trash Bash Award: Most Bags (families and residents)
The McKinney Family

- 2 2013-0233 (7/1/2013, Benedetto)
In Recognition: The Town of Destrehan, 2nd Place, Cleanest City Contest

- 3 2013-0236 (7/1/2013, St. Pierre, Jr.)
In Recognition: German Coast Farmers' Market, 10 Year Anniversary

- 4 2013-0235 (7/1/2013, St. Pierre, Jr.)
Proclamation: "237th Anniversary of American Independence"

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

- 2013-0229 (7/1/2013)
Department of Emergency Preparedness

- 2013-0230 (7/1/2013, St. Pierre, Jr.)
Parish President Remarks/Report

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

Monday, July 15, 2013, 6:00 pm, Council Chambers, Courthouse, Hahnville

- 5 2013-0228 (7/1/2013, St. Pierre, Jr., Department of Parks and Recreation)
An ordinance to approve and authorize the execution of a Lease with the St. Charles Parish School Board for office space at the Eual J. Landry Alternative Center in Hahnville to house the Department of Parks & Recreation.

Legislative History

7/1/13 Parish President Introduced

PLANNING AND ZONING PETITIONS

- 9 2013-0222 (6/17/2013, St. Pierre, Jr., Department of Planning & Zoning)
An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from W to C-3 on West Tract A & West Tract B and approximately a 1-acre site from R-1AM to C-3 on West Tract A (between 14396 & 14784 Hwy 90) Boutte, as requested by Bent's RV Rendezvous, LLC.

Legislative History

4/22/13	Department of Planning & Zoning	Received/Assigned PH	
6/6/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/6/13	Planning Commission	Recommended Approval	Parish Council

- | | | | | |
|--|---------|------------------|----------------------|--|
| | 6/17/13 | Parish President | Introduced | |
| | 6/17/13 | Parish Council | Publish/Scheduled PH | |
- 20 **2013-0223** (6/17/2013, St. Pierre, Jr., Department of Planning & Zoning)
 An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from R-1B to C-2 on approximately 2.35 acres, at Lots 4, 5, 6, 7, and 8 of Riverbriar Phase II as requested by June and Paul Murray, Jr.
- Legislative History:
- | | | | |
|---------|---------------------------------|----------------------|---------------------|
| 5/8/13 | Department of Planning & Zoning | Received/Assigned PH | |
| 6/6/13 | Department of Planning & Zoning | Recommended Approval | Planning Commission |
| 6/6/13 | Planning Commission | Recommended Approval | Parish Council |
| 6/17/13 | Parish President | Introduced | |
| 6/17/13 | Parish Council | Publish/Scheduled PH | |
- 27 **2013-0224** (6/17/2013, St. Pierre, Jr., Department of Planning & Zoning)
 An ordinance approving and authorizing a Home Occupation under the operation of Louise C. Nicholson - "Vea's Fun Bounce and Slide" - inflatables rentals- at 15 Pine Lane, St. Rose.
- Legislative History:
- | | | | |
|---------|---------------------------------|--------------------------|---------------------|
| 4/24/13 | Department of Planning & Zoning | Received/Assigned PH | |
| 6/6/13 | Department of Planning & Zoning | Rcmnd'd Approval w/Stip. | Planning Commission |
- Approval with the following stipulation:
- No maintenance of inflatables is to occur on the common grounds of Charlestown unless and until a letter of no objection is submitted to the Planning and Zoning Department
- | | | | |
|--------|---------------------|--------------------------|----------------|
| 6/6/13 | Planning Commission | Rcmnd'd Approval w/Stip. | Parish Council |
|--------|---------------------|--------------------------|----------------|
- Approval with the following stipulation:
- No maintenance of inflatables is to occur on the common grounds of Charlestown unless and until a letter of no objection is submitted to the Planning and Zoning Department
- | | | | |
|---------|------------------|----------------------|--|
| 6/17/13 | Parish President | Introduced | |
| 6/17/13 | Parish Council | Publish/Scheduled PH | |

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

- 33 **2013-0220** (6/17/2013, Hogan)
 An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on Ayo Lane in Paradis to five (5) miles per hour.
- Legislative History:
- | | | | |
|---------|-------------------|----------------------|--|
| 6/17/13 | Council Member(s) | Introduced | |
| 6/17/13 | Parish Council | Publish/Scheduled PH | |

34 **2013-0221** (6/17/2013, St. Pierre, Jr., Department of Public Works)

An ordinance approving and authorizing the execution of Change Order No. 1 (FINAL) for Norco 5th Street Sidewalk Project, State Project No. H.006592, Control Section No. 000-45, Federal Aid Project No. 4509(501); St. Charles Project No. P091101 to balance the quantities with actual quantities resulting in a decrease of \$39,559.95 and a decrease of 9 days.

Legislative History

6/17/13	Parish President	Introduced
6/17/13	Parish Council	Publish/Scheduled PH

43 **2013-0225** (6/17/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance to amend the St. Charles Parish Code of Ordinances Appendix A, Zoning, Sections III. Definitions, VI.(C).[III].1.a, C-2 Permitted Uses and VI.(H).[I], Historic District Permitted Uses, to add a definition for Historic Home Site Bed and Breakfast and to add the same as a permitted use in the C-2 and H zoning districts.

Legislative History

6/6/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/6/13	Planning Commission	Recommended Approval	Parish Council
6/17/13	Parish President	Introduced	
6/17/13	Parish Council	Publish/Scheduled PH	

46 **2013-0227** (6/17/2013, St. Pierre, Jr., Department of Planning & Zoning, Hogan)

An ordinance to amend the St. Charles Parish Flood Damage Prevention Ordinance, Section XX.C.2, to utilize the Preliminary Digital Flood Insurance Rates Maps (DFIRMs) in determining the minimum building elevations and removing the locally established BFE for A99 Flood Zones.

Legislative History

6/6/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/6/13	Planning Commission	Recommended Approval	Parish Council
6/17/13	Parish President	Introduced	
6/17/13	Parish Council	Publish/Scheduled PH	

49 **2013-0226** (6/17/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance to amend the Code of Ordinances Appendix A, Zoning, Section VI.(D)[II].M-2 Heavy manufacturing and industry 1.a. to allow towing yards.

Legislative History

6/6/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/6/13	Planning Commission	Recommended Approval	Parish Council
6/17/13	Parish President	Introduced	
6/17/13	Parish Council	Publish/Scheduled PH	

52 **2010-0019** (6/17/2013, Hogan)

An ordinance to amend the Code of Ordinances, Chapter 14 Miscellaneous Provisions and Offenses, Section 14-3. Fireworks, to authorize the possession and the utilizing of fireworks on certain days in St. Charles Parish.

Legislative History

1/19/10	Legislative Committee	Discussed.	
Speakers: Major Sam Zinna, Sheriff's Office Ms. Gwen Dufrene, Bayou Gauche Mr. V.J. St. Pierre, Jr., Parish President			
5/24/10	Legislative Committee	Meeting Cancelled	
6/23/10	Legislative Committee	Meeting Cancelled	
7/7/10	Legislative Committee	Discussed.	
Speakers: Ms. Kimberly Marousek, Planning & Zoning Director Mr. Aaron Phillips, Destrehan			
8/16/10	Legislative Committee	Meeting Cancelled	
8/18/10	Legislative Committee	Discussed.	
Speakers: Mr. Randy Wilson, Garyville Mr. Erin Phillips, Luling Mr. Corey Savoy, Luling Mr. Thomas Barreca, St. Charles Parish Fire Department			
9/30/10	Legislative Committee	Meeting Cancelled	
12/15/10	Legislative Committee	Meeting Cancelled	
1/10/11	Council Member(s)	Introduced	
1/10/11	Parish Council	Publish/Scheduled PH	
1/24/11	Parish Council	Amended	Pass
Amendment: to accept the revised version of File No. 2010-0019			
1/24/11	Parish Council	PH Requirements Satisfied	
Reported: Councilman Hogan Recommended: Approval			
1/24/11	Parish Council	Approved as Amended	Fail
VOTE ON THE PROPOSED ORDINANCE AS AMENDED			
Proposed ordinance failed for lack of a majority by the following vote			
1/24/11	Parish Council	Reconsidered	Pass
Discussion: to reconsider the vote on File No. 2010-0019			
1/24/11	Parish Council	Approved as Amended	Fail
VOTE ON THE PROPOSED ORDINANCE AS AMENDED			
Proposed ordinance failed for lack of a majority by the following vote			
2/7/12	Legislative Committee	Discussed.	
Speakers: Mr. Greg Champagne, St. Charles Parish Sheriff Mr. Tommy Barreca, Fire Chief, Norco Fire Department			
3/12/12	Council Member(s)	Introduced	
3/12/12	Parish Council	Publish/Scheduled PH	

3/26/12	Parish Council	PH Requirements Satisfied	
<i>Reported:</i>			
	Councilman Hogan Recommended:	Approval	
	Councilman Nuss Recommended:	Approval	
<i>Speakers:</i>			
	Ms. Carolyn Tregre, Luling		
	Ms. Renee Simpson, Luling		
	Ms. Louise Broach, Luling		
	Mr. Milton Allemand, Hahnville		
3/26/12	Parish Council	Amended	Pass
<i>Amendment: to amend the proposed ordinance under SECTION L (3) "to change The possession of fireworks in accordance with laws of the State of Louisiana is hereby allowed and along with the utilization such fireworks as allowed by the laws of the State of Louisiana is hereby ... to read The possession and firing of fireworks, as defined in LRS 51:650-660 is hereby ..."</i>			
3/26/12	Parish Council	Approved as Amended	Fail
<i>VOTE ON THE PROPOSED ORDINANCE AS AMENDED</i>			
<i>Proposed ordinance failed for lack of a majority by the following vote</i>			
1/22/13	Council Member(s)	Introduced	
1/22/13	Parish Council	Publish/Scheduled PH	
1/22/13	Parish Council	Postponed Indefinitely from Intro.	Pass
<i>Discussion: to postpone indefinitely File No. 2010-0019 from introduction until the two newly elected councilmembers take office</i>			
6/17/13	Council Member(s)	Introduced	
6/17/13	Parish Council	Publish/Scheduled PH	

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

53 2013-0208 (6/3/2013, Hogan, Schexnaydre)

An ordinance directing the Parish Administration to expeditiously begin the process to fast-track the design and construction of 1) a replacement bulkhead and any other necessary related improvements in Des Allemands along Bayou Des Allemands between the Sunset Drainage District Levee (SDD) and a point toward the north to be identified during the design phase, 2) a certifiable floodwall along Badeaux Lane East with a floodgate crossing LA 306 with the floodwall tying into the SDD levee on each end, 3) a hump in Highway 90 with associated improvements in the immediate vicinity of the Paradis Canal to elevate the SDD levee from just south of Highway 90 to a point to be determined toward the north adjacent to LA 631, and 4) the raising of the crown of the SDD to the proposed Base Flood Elevations (BFE's) or higher elevations as may be needed, with these improvements being necessary to provide closure and flood protection to the District at an elevation at or above the proposed DFIRM BFE's in order to assist in the efforts to reduce the proposed BFE's in addition to simultaneously reducing the risk of flooding to the SDD; with funding to be provided for out of the Westbank Hurricane Protection Levee, Fund 310.

Legislative History

6/3/13	Council Member(s)	Introduced	
6/3/13	Parish Council	Publish/Scheduled PH	
6/17/13	Parish Council	Motion	Pass
<i>to deviate from the regular order of the agenda to take up File No. 2013-0208</i>			

6/17/13 Parish Council PH Requirements Satisfied

Reported:

Councilman Hogan Recommended: Approval

Councilwoman Schexnaydre Recommended: Approval

Speakers:

Mr. David Wedge, Bayou Gauche

Mr. James Fish, Bayou Gauche

Ms. Catherine Porthouse, Bayou Gauche

Ms. Ann Hymel Youngs, Bayou Gauche

Mr. Clyde McCully, Paradis

Ms. Ann Morvant, Bayou Gauche

Ms. Celestial Lynn Hebert, Bayou Gauche

Mr. Jay Carroll, Luling

Mr. Rick Hogan, Paradis

Ms. Debra Hogan, Paradis

Ms. Nicole Dufrene, Paradis

Ms. Stacy Melancon, Bayou Gauche

Mr. Robert Taylor, Bayou Gauche

Ms. Becky Cooper, Des Allemands

Mr. David Chatman, Des Allemands

Mr. Paul Camties, II, Des Allemands

Mr. Timothy Allen, Bayou Gauche

Mr. Julian Madere, Bayou Gauche

Ms. Kimberly Mongrue, Bayou Gauche

Mr. Cory Savoie, Luling

Ms. Allison Prendergast, Luling

Mr. Avery Baudoin, Bayou Gauche

Mr. Greg Fergusson, Bayou Gauche

Ms. Priscilla Berger, Bayou Gauche

Mr. Fred St. Claire, Bayou Gauche

6/17/13 Parish Council Tabled Pass

At the request of Councilwoman Fisher-Perrier, Public Works/Wastewater Director Sam Scholle provided administrative comments along with a presentation of a video description of the proposed ordinance.

Council Discussion

Dr. Joseph Suhayda spoke on the matter.

Mr. Mike Chopin, PE, Burk-Klempeter, Inc. spoke on the matter.

Further Council Discussion

Discussion: to Table File No. 2013-0208

6/17/13 Parish Council Motion Pass

to return to the regular order of the agenda

56 2013-0209 (6/3/2013, Hogan)

An ordinance directing the Parish President to execute an Intergovernmental Agreement with the Sunset Drainage District to provide for an operating subsidy for fiscal year 2013 for the operation and maintenance of the District's drainage system in the amount of \$282,307.00 with funding from the General Fund.

Legislative History

6/3/13 Council Member(s) Introduced

6/3/13 Parish Council Publish/Scheduled PH

6/17/13 Parish Council Motion Pass

to deviate from the regular order of the agenda to take up File No. 2013-0209

6/17/13 Parish Council PH Requirements Satisfied

Reported:

Councilman Hogan Recommended: Approval

Speakers:

Mr. David Wedge, Bayou Gauche

Mr. Rick Hogan, Paradis

Ms. Debra Hogan, Paradis

Mr. Clyde McCully, Paradis

Ms. Catherine Porthouse, Bayou Gauche

Mr. Myra Baudoin, Bayou Gauche

Mr. Paul Candies, II, Des Allemands

Ms. Holly Fonseca, Luling

Mr. James Fish, Bayou Gauche

Mr. Greg Ferguson, Bayou Gauche

6/17/13 Parish Council

Tabled

Pass

Council Discussion

Mr. Eric Matherne, Sunset Drainage District President, spoke on the matter.

Councilman Hogan motioned to Table File No. 2013-0209. Motion failed for the lack of a second.

Further Council Discussion

Discussion: to Table File No. 2013-0209

6/17/13 Parish Council

Motion

Pass

to return to the regular order of the agenda

PERSONS TO ADDRESS THE COUNCIL

58 2013-0237 (7/1/2013)

Mr. David G. Wedge: Actions of parish administration, levees, and the takeover of the Sunset Drainage District

RESOLUTIONS

59 2013-0231 (7/1/2013, Cochran, Schexnaydre, Fauchaux, Wilson, Fisher-Perrier)

A resolution to request that the Parish President introduce a budget amendment to the 2013 Consolidated Operating and Capital Budget to allocate \$300,000.00 for improvements to the Sunset Pump Station.

Legislative History:

7/1/13 Council Member(s)

Introduced

APPOINTMENTS

60 2013-0147 (4/22/2013)

A resolution to appoint a member to the Planning & Zoning Commission as the District III Representative.

Council will confirm nomination from the District III Councilmember to fill the vacancy created by the expiration of the term of Mr. John R. Gibbs. Four (4) year term to begin May 31, 2013 and expire May 31, 2017.

Nominee: Mr. John R. Gibbs

Legislative History:

5/18/09 Parish Council

Enacted Legislation

Mr. John R. Gibbs appointed to the Planning & Zoning Commission on May 18, 2009, per Resolution No. 5646

Term: May 31, 2009 - May 31, 2013

4/22/13	Parish Council	Vacancy Announced
5/6/13	Parish Council	Deferred
5/20/13	Parish Council	Deferred
6/3/13	Parish Council	Deferred
6/17/13	Parish Council	Nomination(s) Accepted

Nominee:

Councilwoman Benedetto nominated Mr. John R. Gibbs.

6/17/13	Parish Council	Close Nomination(s) for	Pass
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2013-0213 (6/17/2013)

Council Appointment to the River Region Caucus.

Council Chairman will accept nomination to fill the vacancy caused by the expiration of the term of Councilwoman Wendy Benedetto. One (1) year term to begin July 31, 2013 and expire July 31, 2014.

Legislative History:

6/17/13	Parish Council	Vacancy Announced
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2013-0214 (6/17/2013)

Council Appointment to the River Region Caucus.

Council Chairman will accept nomination to fill the vacancy caused by the expiration of the term of Councilwoman Traci A. Fletcher. One (1) year term to begin July 31, 2013 and expire July 31, 2014.

Legislative History:

6/17/13	Parish Council	Vacancy Announced
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2013-0215 (6/17/2013)

Council Alternate Appointment to the River Region Caucus.

Council Chairman will accept nomination to fill the vacancy caused by the expiration of the term of Councilman Larry Cochran - Alternate. One (1) year term to begin July 31, 2013 and expire July 31, 2014.

Legislative History:

6/17/13	Parish Council	Vacancy Announced
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2013-0216 (6/17/2013)

Council Alternate Appointment to the River Region Caucus.

Council Chairman will accept nomination to fill the vacancy caused by the expiration of the term of Councilman Paul J. Hogan, PE - Alternate. One (1) year term to begin July 31, 2013 and expire July 31, 2014.

Legislative History:

6/17/13	Parish Council	Vacancy Announced
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2013-0217 (6/17/2013)

A resolution to appoint a member to the Civil Service Board.

Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Mr. Ralph M. Wilderson. Three (3) year term to begin August 1, 2013 and expire August 1, 2016.

Legislative History:

7/26/10 Parish Council Enacted Legislation
 Mr. Ralph M. Wilderson appointed to the Civil Service Board on July 26, 2010, per Resolution No. 5761
 Term: August 1, 2013 - August 1, 2016

6/17/13 Parish Council Vacancy Announced

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

2013-0055 (6/17/2013, Benedetto)

Executive Session: Mayor Mitchell J. Landrieu vs. St. Charles Parish Council, Et Al; Civil District Court for the Parish of Orleans, Case Number 2012-08721
 [Deferred from the June 17, 2013 Parish Council Meeting]

Legislative History

2/18/13	Parish Council	Motion	Pass
to go into Executive Session			
2/18/13	Parish Council	Heard in Executive Session	
2/18/13	Parish Council	Motion	Pass
to return to the regular order of the agenda			
3/11/13	Parish Council	Motion	Pass
to go into Executive Session			
3/11/13	Parish Council	Heard in Executive Session	
3/11/13	Parish Council	Motion	Pass
to return to the regular order of the agenda			
3/25/13	Parish Council	Motion	Pass
to go into Executive Session			
3/25/13	Parish Council	Heard in Executive Session	
3/25/13	Parish Council	Motion	Pass
to return to the regular order of the agenda			
4/8/13	Parish Council	Motion	Pass
to go into Executive Session			
4/8/13	Parish Council	Heard in Executive Session	
4/8/13	Parish Council	Motion	Pass
to return to the regular order of the agenda			
4/22/13	Parish Council	Motion	Pass
to go into Executive Session			
4/22/13	Parish Council	Heard in Executive Session	
4/22/13	Parish Council	Motion	Pass
to return to the regular order of the agenda			
5/6/13	Parish Council	Motion	Pass
to go into Executive Session			
5/6/13	Parish Council	Heard in Executive Session	
5/6/13	Parish Council	Motion	Pass
to return to the regular order of the agenda			

5/20/13	Parish Council	Motion	Pass
to go into Executive Session			
5/20/13	Parish Council	Heard in Executive Session	
5/20/13	Parish Council	Motion	Pass
to return to the regular order of the agenda			
6/17/13	Parish Council	Deferred	Pass
Discussion: to defer File No. 2013-0055			

2013-0136 (6/17/2013, Benedetto)

Executive Session: Tauzin Consultants, LLC - Ordinance No. 13-3-14 (File No. 2013-0086)
[Deferred from the June 17, 2013 Parish Council Meeting]

Legislative History

4/15/13	Parish Council	Motion	Pass
to go into Executive Session			
4/15/13	Parish Council	Heard in Executive Session	
4/15/13	Parish Council	Motion	Pass
to return to the regular order of the agenda			
6/17/13	Parish Council	Deferred	Pass
Discussion: to defer File No. 2013-0136			

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.**MEETINGS**

911 COMMUNICATIONS DISTRICT: Monday, 7/8/13, 5PM, Council Chambers
 CIVIL SERVICE BOARD: Tuesday, 7/9/13, 6:30PM, Council Chambers
 COMMUNITY ACTION ADVISORY BOARD: Wednesday, 7/10/13 7PM, Council Chambers
 PLANNING & ZONING COMMISSION: Thursday, 7/11/13, 7PM, Council Chambers
 SUNSET DRAINAGE DISTRICT: Thursday, 7/11/13, 7PM, Courtroom

ANNOUNCEMENTS

Twenty-Third Annual Independence Day Celebration: Wednesday, 7/3/13, 6PM - 9PM, Luling Bridge Park - Fireworks Display at Dark

PARISH HOLIDAY: Thursday, 7/4/13 and Friday, 7/5/13 - Independence Day

Accommodations for Disabled

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.

The Parish of St. Charles

July 1, 2013

The St. Charles Parish Council
and the Parish President
Deeply Appreciates

MARIE KELLER VIAL

St. Charles Parish Sheriff
March 28, 1939 – April 17, 1940

For Her Service to the People of
St. Charles Parish as the First and only Female
Sheriff in the History of St. Charles Parish
following the death of her husband
Sheriff Leon C. Vial

"PARISH OF PLENTY"
created in 1807 from the county of the
"German Coast", a parish of
unprecedented economic and social
development, known for its
hospitality, rural living and sporting
opportunities... with the added
distinction of being located
on both sides of the
Mighty Mississippi River.

V.J. ST. PIERRE, JR.
PARISH PRESIDENT

CLAYTON FAUCHEUX, JR.
COUNCILMAN AT LARGE, DIV. B

TERRELL D. WILSON
COUNCILMAN, DISTRICT I

WILLIAM BILLY WOODRUFF
COUNCILMAN, DISTRICT II

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

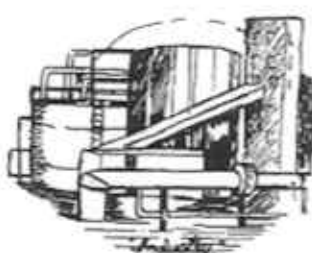
CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

PAUL J. HOGAN
COUNCILMAN, DISTRICT IV

LARRY COCHRAN
COUNCILMAN, DISTRICT V

TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII



The Parish of St. Charles

July 1, 2013

IN RECOGNITION

WHEREAS, in 1958, The Louisiana Garden Club Federation, Inc., was the first among members of the National Garden Clubs, Inc., to sponsor a state wide "Cleanest City Contest"; and,

WHEREAS, the primary goal of this contest is to promote litter-free communities within Louisiana and involve garden club members, city officials, and the community; and,

WHEREAS, cities are divided into 10 population categories in eight districts, with a panel of three volunteer judges visiting participating cities and rating them on cleanliness; and,

WHEREAS, the March 23, 2013 Trash Bash event served as the pre-judging cleanup for the Cleanest City judging teams; and,

WHEREAS, thanks to the generosity of the German Coast Farmers' Market, the towns of Luling and Destrehan were entered into the district level competition and judged on March 28, 2013, post Trash Bash. Judging on the state level took place May 10, 2013; and,

WHEREAS, St. Charles Parish is proud to announce that the town of Destrehan won second place in its category beating out the cities of Thibodaux and Crowley, but was bested by Pineville.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT do hereby offer this tribute and recognition to

THE TOWN OF DESTREHAN SECOND PLACE CLEANEST CITY CONTEST

"PARISH OF ELEGY"
created in 1807 from the county of the
"German Coast", a parish of
unprecedented economic and social
development, known for its
hospitality, rural living and sporting
opportunities... with the added
distinction of being located
on both sides of the
Mighty Mississippi River.

V.J. ST. PIERRE, JR.
PARISH PRESIDENT

CLAYTON FAUCHEUX, JR.
COUNCILMAN AT LARGE, DIV. B

TERRELL D. WILSON
COUNCILMAN, DISTRICT I

WILLIAM BILLY WOODRUFF
COUNCILMAN, DISTRICT II

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

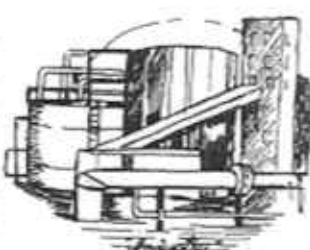
CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

PAUL J. HOGAN
COUNCILMAN, DISTRICT IV

LARRY COCHRAN
COUNCILMAN, DISTRICT V

TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII



The Parish of St. Charles

July 1, 2013

IN RECOGNITION



WHEREAS, the German Coast Farmers' Market, a non-profit organization operated by a volunteer Board of Directors, was established to encourage the ability of farmers and small vendors to reach the public directly with the freshest of produce and home-grown and produced products; and,

WHEREAS, the German Coast Farmers' Market serves as a community gathering place, tourist destination, and a market for a wide range of fresh vegetables, fruits, flowers, and other value-added items; and,

WHEREAS, in addition to local products, the German Coast Farmers' Market features a variety of special events including live music and entertainment, pony rides, holiday celebrations, Kid Krewe du Mardi Gras parade, St. Patty's Pet Pawrade, advice from master gardeners, preserve contests, cookbook exchanges, plant swaps, community outreach programs, arts and crafts vendors, and more; and,

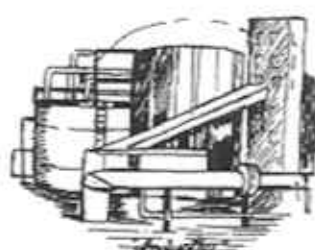
WHEREAS, the German Coast Farmers' Market opened for business on the East Bank of St. Charles Parish on June 7, 2003, and a second location opened on the West Bank on July 5, 2006; and,

WHEREAS, over 271,436 patrons visited the market since its inception; and,

WHEREAS, in 2010 and 2011 the German Coast Farmers' Market was named Louisiana's Favorite Farmers Market by American Farmland Trust; and,

WHEREAS, the German Coast Farmers' Market celebrated its 10th Anniversary on Saturday, June 15, 2013 at Ormond Plantation in Destrehan.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, do hereby offer this tribute and recognition to



GERMAN COAST FARMERS' MARKET 10 YEAR ANNIVERSARY

"PARISH OF PLENTY"
created in 1807 from the county of the
"German Coast", a parish of
unprecedented economic and social
development, known for its
hospitality, rural living and sporting
opportunities... with the added
distinction of being located
on both sides of the
Mighty Mississippi River

V.J. ST. PIERRE, JR.
PARISH PRESIDENT

CLAYTON FAUCHEUX, JR.
COUNCILMAN AT LARGE, DIV. B

TERRELL D. WILSON
COUNCILMAN, DISTRICT I

WILLIAM BILLY WOODRUFF
COUNCILMAN, DISTRICT II

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

PAUL J. HOGAN
COUNCILMAN, DISTRICT IV

LARRY COCHRAN
COUNCILMAN, DISTRICT V

TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

2013-0235

PROCLAMATION

WHEREAS, *the spirit of liberty and independence inspired the Second Continental Congress to resolve "That these United Colonies are, and of right ought to be free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved"; and,*

WHEREAS, *the Congress appointed a Committee of Five consisting of John Adams, Roger Sherman, Benjamin Franklin, Robert Livingston, and Thomas Jefferson to draft a declaration presenting to the world the colonies' case for independence; and,*

WHEREAS, *on July 4, 1776, fifty-six delegates to the Second Continental Congress risked their "Lives, their Fortunes, and their Sacred Honor" to sign the Declaration of Independence and to assert their conviction that "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty, and the Pursuit of Happiness"; and,*

WHEREAS, *July 4, 2013 marks the 237th Anniversary of American Independence; and,*

WHEREAS, *it is fitting and proper to accord official recognition to this memorable anniversary, and to the patriotic exercises that will commemorate the occasion.*

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM JULY 4, 2013, AS THE

"237th ANNIVERSARY OF AMERICAN INDEPENDENCE"

AND URGE OUR CITIZENS TO REFLECT ON THE BLESSINGS OF LIBERTY AND ON THE RIGHTS, PRIVILEGES, AND ATTENDANT RESPONSIBILITIES OF CITIZENSHIP IN OUR GREAT NATION; AND,

BE IT FURTHER RESOLVED, THAT ALL CITIZENS IN THE PARISH ARE INVITED TO ATTEND THE TWENTY-THIRD ANNUAL FESTIVITIES AT THE ST. CHARLES PARISH WESTBANK BRIDGE PARK IN LULING, ON WEDNESDAY, JULY 3, 2013, FROM 6 PM-9 PM, WITH A FIREWORKS DISPLAY AT DARK.

V.J. ST. PIERRE, JR.
PARISH PRESIDENT

CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

CLAYTON FAUCHEUX, JR.
COUNCILMAN AT LARGE, DIV. B

PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV

TERRELL D. WILSON
COUNCILMAN, DISTRICT I

LARRY COCHRAN
COUNCILMAN, DISTRICT V

WILLIAM BILLY WOODRUFF
COUNCILMAN, DISTRICT II

TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

237th American Independence PCL

2013-0228**INTRODUCED BY: V.J. ST. PIERRE, JR, PARISH PRESIDENT
(DEPARTMENT OF PARKS & RECREATION)****ORDINANCE NO. _____**

An ordinance to approve and authorize the execution of a Lease with the St. Charles Parish School Board for office space at the Eual J. Landry Alternative Center in Hahnville to house the Department of Parks & Recreation.

WHEREAS, on July 23, 2012 the St. Charles Parish Council adopted Ordinance No. 12-7-6 approving a Lease Agreement with the St. Charles Parish School Board for office space at the Eual J. Landry Alternative Center to house the Department of Parks & Recreation; and,

WHEREAS, said Lease, which includes two buildings totaling 14,257 square feet located at 171 Keller Street in Hahnville, is now expiring; and,

WHEREAS, it is the desire of the Parish Council to approve the renewal of said lease.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Lease between the St. Charles Parish School Board and St. Charles Parish for office space at the Eual J. Landry Alternative Center is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Lease on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

Lease Recreation Office 2013

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

St. Charles Parish Public Schools

LEASE

The St. Charles Parish School Board hereafter referred to as Lessor, leases to the St. Charles Parish Council referred to as Lessee, a portion of the premises known as Eual J. Landry Alternative Center for a term of 12 months, beginning on the 1st day of July 2013 and ending on the 30th day of June 2014, for and in consideration of a monthly rental in the amount of \$1,775.88 payable in advance on the 1st day of each month at the School Board's Business Office. The premises leased herein include the band hall and industrial arts building (5,289 square feet) and classroom wing, "B" Building, (8,968 square feet) for a total square footage of 14,257 square feet and are to be used only for Government offices. A two-year renewal option is available upon consent of both parties in writing.

Lessee is obligated not to use the premises for any purpose that is unlawful, and the violation of any law by Lessee shall be a justifiable cause for cancellation of this lease by Lessor, at his option.

In case an Attorney is employed to protect any right of Lessor or Lessee arising under this lease, the party whose actions or inactions necessitate such employment shall pay additionally a reasonable attorney's fee.

Should the premises be abandoned by Lessee or should Lessee begin to remove personal property to the detriment of Lessor's lien, then the rent for the unexpired term, with attorney's fees, shall immediately become due, and Lessor, at his option, may cancel the lease or re-enter and let the premises for such price or on such terms as may be immediately obtainable, and apply the net amount realized to the amount due by Lessee.

Should Lessee be unable to obtain occupancy on the date of the beginning of the lease due to causes beyond control of Lessor, this lease shall not be affected thereby, but Lessee shall owe rent beginning only with the day on which he could obtain possession.

Should the property be destroyed or materially damaged so as to render it wholly unfit for occupancy by fire or other unforeseen event not due to any fault or neglect of Lessee, then Lessee shall be entitled to a credit for the unexpired term of the lease and any unmatured rent notes shall be cancelled.

The Lessee shall not make any additions or alterations to the premises without written permission of the other. However, Lessor or his employees shall have the right to enter the premises for the purpose of making repairs necessary for the preservation of the property. Any additions made to the property by the Lessee shall become the property of Lessor at the termination of this lease unless otherwise stipulated herein.

Should any addition or alteration made by the Lessee cause any increase in the insurance rate on the premises, Lessee agrees to pay such increase in addition to the agreed rental. However, nothing shall be placed or done upon the premises by Lessee, which will cause forfeiture of any insurance.

In case of Lessee introducing, altering, or not having utility service on the premises, he shall comply in every respect, without expense to Lessor, with all rules and regulations of the State Fire Marshal's Office, or other similar association in existence at the time.

Lessor warrants that the leased premises are in good condition except as otherwise stipulated herein. Lessee accepts them in such condition and agrees to keep them in such condition during the term of the lease at his expense and to return them to Lessor in the same condition at the termination of the lease, normal decay, wear, and tear excepted.

Lessor agrees to deliver the premises broom clean and free from trash at the beginning of the lease and Lessee agrees to return same in like condition at the termination of the lease.

No repairs shall be due Lessee by Lessor except to the roof and such as may be rendered necessary by fire or other casualty, not occasioned by Lessee's fault or negligence. Lessee agrees to report in writing to Lessor any damage to the leased premises within twenty-four hours after discovering its happening, and upon his failure to do so, Lessee shall be bound to repair any consequent or resulting damage.

Should Lessee fail to make such repairs as he is obligated to make hereunder, Lessor may, at his option, have the repairs made and Lessee agrees to reimburse Lessor for the cost.

Lessor shall not be liable for any damage to person or property sustained by the Lessee or any other persons, and any such liability is assumed by Lessee.

Lessor may renew this Lease for a like term or on a monthly basis at the same rental, but agrees to notify Lessee sixty (60) days before the expiration of this lease for his desire to renew same. Lessee must notify Lessor sixty (60) days prior to vacating the premises.

The St. Charles Parish School Board reserves the right to cancel the Lease, if the buildings they are leasing are needed for any other purpose, but agrees to notify Lessee sixty (60) days before cancellation.

Lessee is not permitted to post any "For Rent" signs, rent, sublet, or grant use or possession of the leased premises without written consent of Lessor and then only in accordance with this lease.

This Contract is subject to termination upon a sixty (60) day notice from the Lessor or Lessee.

The Lessee is responsible for locking the gates and building when the building and parking lot are not in use.

LESSOR:

WITNESS

Clarence H. "Sonny" Savoie
President, St. Charles Parish School Board

LESSEE:

WITNESS

V. J. St. Pierre
President, St. Charles Parish Council

Date

2012-0241

INTRODUCED BY: V.J. ST. PIERRE, JR, PARISH PRESIDENT
(DEPARTMENT OF PARKS & RECREATION)

ORDINANCE NO. 12-7-6

An ordinance to approve and authorize the execution of a Lease with the St. Charles Parish School Board for office space at the Eual J. Landry Alternative Center in Hahnville to house the Department of Parks & Recreation.

WHEREAS, on June 6, 2011 the St. Charles Parish Council adopted Ordinance No. 11-6-5 approving a Lease Agreement with the St. Charles Parish School Board for office space at the Eual J. Landry Alternative Center to house the Department of Parks & Recreation; and,

WHEREAS, said Lease, which includes two buildings totaling 14,257 square feet located at 171 Keller Street in Hahnville, is now expiring; and,

WHEREAS, it is the desire of the Parish Council to approve the renewal of said lease.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Lease between the St. Charles Parish School Board and St. Charles Parish for office space at the Eual J. Landry Alternative Center is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Lease on behalf of St. Charles Parish.

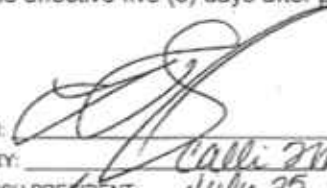

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, FAUCHEUX, WILSON, TASTET, BENEDETTO, HOGAN, COCHRAN, FLETCHER, NUSS

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 23rd day of July, 2012, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: 
ACTING SECRETARY: Calli Madore
CLVD/PARISH PRESIDENT: July 25, 2012
APPROVED: _____ DISAPPROVED: _____
PARISH PRESIDENT: 
RETD/SECRETARY: July 25, 2012
AT: 10:20am RECD BY: CFM

2013-0222

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from W to C-3 on West Tract A & West Tract B and approximately a 1-acre site from R-1AM to C-3 on West Tract A (between 14396 & 14784 Hwy 90) Boutte, as requested by Bent's RV Rendezvous, LLC.

WHEREAS, the properties, West Tract A & West Tract B, situated between 14396 & 14784 Hwy 90 in Boutte are vacant and undeveloped; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission held the required public hearing on June 6, 2013; and,

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from W to C-3 on West Tract A & West Tract B and approximately a 1-acre site from R-1AM to C-3 on West Tract A (between 14396 & 14784 Hwy 90) Boutte, as requested by Bent's RV Rendezvous, LLC.

SECTION II. To authorize the Department of Planning & Zoning to amend the official St. Charles Parish Zoning Map to reflect the zoning reclassification to C-3.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZR-2013-08 requested by Bent's RV Rendezvous, LLC for a change in zoning classification for approximately 15 acres from W to C-3 on West Tract A & West Tract B and approximately a 1 acre site from R-1AM to C-3 on West Tract A (between 14396 & 14784 Hwy. 90), Boutte. Council District 4.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

Mr. Gibbs: next item on the agenda is PZR-2013-08 requested by Bent's RV Rendezvous, LLC for a change in zoning classification for approximately 15 acres from W to C-3 on West Tract A & West Tract B and approximately a 1 acre site from R-1AM to C-3 on West Tract A (between 14396 & 14784 Hwy. 90), Boutte. Council District 4. Mr. Romano.

Mr. Romano: If I may, refer to the survey on the next page for reference because what I read I'll throw out some lot numbers and it might sound confusing at first. This request is to rezone a portion of West Tract A from R-1AM, and the entire portion of West Tract B from W-1, to C-3. The site is situated along an undeveloped stretch of US 90 between Mosella and Paradis. The applicant is proposing to develop the site for an RV sales and service facility in phases. They have applied for and received the required wetlands permits from the US Army Corp of Engineers and the Louisiana Department of Natural Resources and are preparing to mitigate the impacts to the wetlands on the site. There were concerns about the impacts on neighborhood drainage with the development of the site but they were rectified during the resubdivision process with the establishment of a 25-foot wide servitude for drainage around the perimeter of the site and along the lot lines in between.

In order for recommendation of a rezoning request, all tests of at least one of the criteria listed in applicable regulations must be met. The Department concludes that this application meets all tests of the second criteria.

The potential resulting land use change is consistent with how the rest of this section of US 90 is zoned. This is also consistent with the St Charles Parish 2030 Future Land Use Map recommendation of General Commercial along the corridor. This segment of US 90 averages over 33,000 vehicles per day. Despite this, traffic seems to move efficiently along the site. The applicants propose a single business, impacts to congestion would be minimized as opposed as many commercial businesses as can fit on the site. In addition, the business will be required to install turn lanes on the roadway which will mitigate potential traffic impacts.

The size of the site and the installation of the drainage servitudes will ensure that the demands of drainage of the site—as well as the surrounding properties—will be met. This provides opportunities to improve the area drainage, as opposed to approval leading to “overcrowding or overburdening of public facilities.”

Lastly, the corridor is primarily zoned C-3 and was anticipated for commercial development. Rezoning approval of the applicant site to C-3 would make the site more compatible with the zoning designation along the corridor and would be compatible with existing and anticipated uses along Hwy 90. The Department recommends approval.

Mr. Gibbs: Thank you Mr. Romano. This is a public hearing for PZR-2013-08. Anyone in the audience to speak for or against.

Good Evening, I'm Brian Bent, 6222 Pontchartrain Blvd., New Orleans, LA. I've been before you guys over the last few months with our resubdivision processes and working out the details with the neighbors, the servitudes and all that. This is the last step with getting the property into the proper zoning so we can operate our business. Mr. Romano went through all the details, I won't go through it again, basically just trying to get the entire plot of 22 acres to C-3 to be consistent with our ability to use it as an RV dealership. If you guys have any questions, I appreciate your approval of this for us.

Mr. Gibbs: Thank you Mr. Bent. Any questions or concerns? I just want to wish you luck.

Mr. Bent: Thank you. Mr. Ben Matthews is also here, he's the original owner of the whole facility and part owner now.

Mr. Gibbs: Mr. Bent are you going to develop this like the one on Airline?

Mr. Bent: Yes over time yes.

Mr. Matthews: I'm definitely in favor of the rezone. I'm very impressed with their facility on Airline and with the principle. I think the RV sales facility it a great idea. I think it will improve

the area, bring commerce, bring people and I'm very much in favor of and I hope that you all are too.

Mr. Gibbs: We welcome it in St. Charles Parish for sure. Thank you.

Mr. Romano: Mr. Chairman there is also a gentleman by the name of Russell Tastet, he's in favor.

Mr. Gibbs: I have it right here, he wanted it read into the record. I have notes everywhere to read this thing. Thank you Mr. Romano. Anyone else to speak for or against PZR-2013-08? Seeing none the public hearing is closed. Cast your vote please.

YEAS: Pierre, Booth, Gibbs, Galliano, Frangella

NAYS: None

ABSENT: Foster

ABSTAIN: Loupe (has not been sworn in)

Mr. Gibbs: That's unanimous with Mr. Foster absent.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR-2013-08

GENERAL APPLICATION INFORMATION

- ♦ **Name/Address of Applicant:** **Application Date:** 4/22/13
Bent's RV Rendezvous, LLC
8057 Airline Drive
Metairie, La. 70003
- ♦ **Location of Site:**
14412 Highway 90, Boutte
- ♦ **Requested Action:**
Rezone W-1 & R-1AM zoned portion of West Tract A and entire West Tract B to C-3

SITE-SPECIFIC INFORMATION

- ♦ **Size of Parcel:** **Plan 2030 Recommendations:**
Approximately 21.659 acres. General Commercial
- ♦ **Zoning and Land Use:**
C-3, R-1AM and W-1, The Site is presently wooded and vacant
- ♦ **Surrounding Land Uses and Zoning:**
The site is bordered on the East and West by small commercial ventures, to the North by residential uses that front on Old Spanish Trail and to the South by swamp across Highway 90.
- ♦ **Utilities:** **Traffic Access:**
Water only. Highway 90

APPLICABLE REGULATIONS

Appendix A. Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

AND:

IV.] C-3. Highway commercial district— Wholesale and retail sales:

1. Use Regulations:

a. A building or land shall be used for the following purposes.

- (1) All uses allowed in the C-2 District. (Ord. No. 88-5-5, 5-16-88)
- (2) Commercial auditoriums, coliseums or convention halls
- (3) Retail manufacturing
- (4) Motor vehicle sales and service
- (5) Wholesale uses
- (6) Warehouses (less than 10,000 sq. ft.)
- (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities) (Ord. No. 98-4-17, § II, 4-20-98)
- (8) Bottling works
- (9) Dog pound
- (10) Building supply
- (11) Heating and air conditioning service
- (12) Plumbing shops
- (13) Motor vehicle repair
- (14) Glass installation
- (15) Fabrication of gaskets and packing of soft metal material
- (16) Creameries
- (17) Parcel delivery service
- (18) *Reserved*. (Ord. No. 97-7-4, § VIII, 7-7-97)
- (19) Frozen food lockers
- (20) Public stables
- (21) Bulk dairy products (retail)
- (22) Animal hospitals
- (23) Gymnasiums
- (24) Sheet metal shops
- (25) Upholstery
- (26) Other uses of similar intensity
- (27) Customary accessory uses incidental to the above uses when located on the same lot.

b. Special exception uses and structures:

- (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

c. Special permit uses and structures include the following:

- (1) Barrooms, night clubs, lounges, and dancehalls.
- (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
- (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
- (4) *Reserved*. (Ord. No. 01-5-18, § II, 5-21-01)
- (5) Cellular installations and PCS (personal communication service) installations.
- (6) *Reserved*. (Ord. No. 01-5-18, § III, 5-21-01)
- (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
- (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
- (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
- (10) Outdoor storage, when accessory to an otherwise permitted use in the district.
(Ord. No. 92-9-14, 9-8-92; Ord. No. 94-1-9, § IV, 1-10-94; Ord. No. 94-6-6, § II, 6-6-94; Ord. No. 97-7-4, § IV, 7-7-97; Ord. No. 98-4-17, § III, 4-20-98; Ord. No. 99-12-24, § I, 12-20-99; Ord. No. 03-1-12, § IV, 1-21-03; Ord. No. 07-10-10, § II, 10-15-07; Ord. No. 09-2-6, § I, 2-16-09)

2. Spatial Requirements:

a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.

b. Minimum yard sizes:

- (1) Front - twenty (20) feet
- (2) Side - five (5) feet
- (3) Rear - ten (10) feet
- (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such

servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XII, 8-18-08)
(Ord. No. 82-6-6, § 1, 6-7-82)

3. Transportation System: Arterial, local industrial, rail, water.

4. Special Provisions:

a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

(Ord. No. 82-6-9, § III, 6-7-82; Ord. No. 98-1-3, § IV, 1-5-98)

[V.]

Prohibited use: Medical waste storage, treatment or disposal facilities. (Ord. No. 90-9-4, § II, 9-4-90)

ANALYSIS

This request is to rezone a portion of West Tract A from R-1AM, and the entire portion of West Tract B from W-1, to C-3. The site is situated along an undeveloped stretch of US 90 between Mosella and Paradis. The applicant is proposing to develop the site for an RV sales and service facility in phases. They have applied for and received the required wetlands permits from the US Army Corp of Engineers and the Louisiana Department of Natural Resources and are preparing to mitigate the impacts to the wetlands on the site. There were concerns about the impacts on neighborhood drainage with the development of the site but they were rectified during the resubdivision process with the establishment of a 25-foot wide servitude for drainage around the perimeter of the site and along the lot lines in between.

In order for recommendation of a rezoning request, all tests of at least one of the criteria listed in applicable regulations must be met. **The Department concludes that this application meets all tests of the second criteria.**

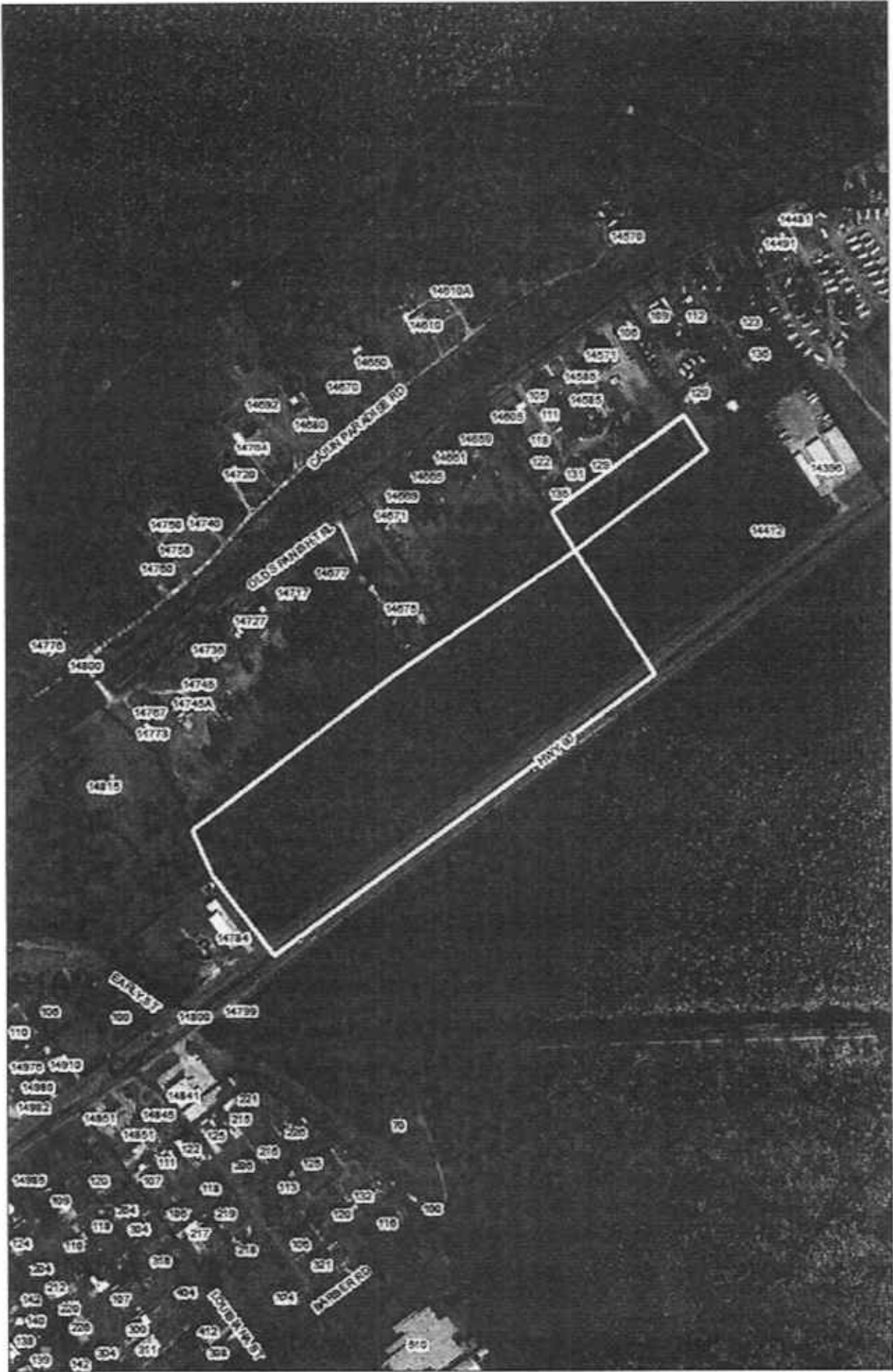
The potential resulting land use change is consistent with how the rest of this section of US 90 is zoned. This is also consistent with the St Charles Parish 2030 Future Land Use Map recommendation of General Commercial along the corridor. This segment of US 90 averages over 33,000 vehicles per day. Despite this, traffic seems to move efficiently along the site. The applicants propose a single business, impacts to congestion would be minimized as opposed as many commercial businesses as can fit on the site. In addition, the business will be required to install turn lanes on the roadway which will mitigate potential traffic impacts.

The size of the site and the installation of the drainage servitudes will ensure that the demands of drainage of the site—as well as the surrounding properties—will be met. This provides opportunities to improve the area drainage, as opposed to approval leading to “overcrowding or overburdening of public facilities.”

Lastly, the corridor is primarily zoned C-3 and was anticipated for commercial development. Rezoning approval of the applicant site to C-3 would make the site more compatible with the zoning designation along the corridor and would be compatible with existing and anticipated uses along Hwy 90.

DEPARTMENTAL RECOMMENDATION

Approval.





Approved as the Survey of Tract A and B, to be shown on a Survey Map, by the Surveyor General of the State of Louisiana, on this 13th day of May, 2002.

[Signature]
Surveyor General
May 13, 2002



U. S. HIGHWAY NO. 90

RESURVEYING OF "THE WEST TRACT" AS SHOWN ON A SURVEY BY
MICHAEL D. BERNARD, P.L.S., DATED MAY 22, 2002, REVISED NOVEMBER 13, 2004
INTO WEST TRACT A AND WEST TRACT B
IN SECTION 37, T14S - R20E
NEAR PARADIS, ST. CHARLES PARISH, LOUISIANA
SCALE: 1" = 100'

REFERENCE MADE
TO A SURVEY OF A PART OF LAND LOCATED IN LOT 10 OF WEST TRACT 2 AND
LOT 11 OF WEST TRACT 3, BOTH OF WHICH ARE SHOWN ON A SURVEY BY
MICHAEL D. BERNARD, P.L.S., DATED MAY 22, 2002, REVISED NOVEMBER 13, 2004,
AND A PART OF THE LAND LOCATED IN LOT 12 OF WEST TRACT 2 AND
LOT 13 OF WEST TRACT 3, BOTH OF WHICH ARE SHOWN ON A SURVEY BY
MICHAEL D. BERNARD, P.L.S., DATED MAY 22, 2002, REVISED NOVEMBER 13, 2004.

CONFORMS TO STATE MAP



Recordation Certificate

18

Lance Marino
Clerk of Court
St. Charles Parish Courthouse
PO Box 424
Hahnville, LA 70057
(985) 783-6632

First VENDOR

BENT'S RV RENDEZVOUS

First VENDEE

Index Type : CONVEYANCE

Entry Number : 388031

Type of Document : RESUBDIVISION

Book : 784

Page : 679

Recording Pages : 12

Recorded Information

Deputy Clerk

On (Recorded Date) : 04/23/2013

At (Recorded Time) : 2:51:26PM



Doc ID - 006717700012



Wendy Watkins

From: Wendy Watkins
Sent: Thursday, June 06, 2013 9:11 AM
To: Russell Tastet
Cc: Kim Marousek; Earl Matherne
Subject: RE: Planning and Zoning Commission public hearing for tonight

Russell and Margo Tastet,

The notifications were mailed out on May 24, 2013. Your certified letter receipt number is **91 7108 2133 3932 9569 8193**. The June 6, 2013 Planning Board of Commissioners agenda was forwarded to the Parish's website for update on May 30, 2013. PZR-2013-08 requested by Bent's RV is the 5th item on the agenda.

If I can be of any further assistance, please respond.

Thanks,

Wendy

Wendy M. Watkins
 St. Charles Parish/Dept. of P & Z
 Administrative Assistant

 (504) 783-5060 Work
wwatkins@stcharlesgov.net

From: Kimberly Marousek
Sent: Wednesday, June 05, 2013 5:46 PM
To: Wendy Watkins
Cc: Earl Matherne
Subject: Fwd: Planning and Zoning Commission public hearing for tonight

Please review and let ME know if a letter was mailed

Sent from my Verizon Wireless 4G LTE Smartphone.

----- Original message -----

Kim, I did not receive a mailed notification of the commission meeting for tonight on hearing PZR-2313-08. Unless a portion of the property that borders my property is not being rezoned, I should have received mail notification. My wife and I do not have any objection to the rezoning. If we cannot make the meeting I would like someone from your staff to read the no objection into the record. Where is this case on the agenda? I went to the web site to look but the page is not available. If it is first I may be able to attend for a short time. Please email me at rtastet@stcharlesgov.net. I will not be home once I send this mail.

Thanks,
 Russell and Margo Tastet

2013-0223

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)

ORDINANCE NO. _____

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from R-1B to C-2 on approximately 2.35 acres, at Lots 4, 5, 6, 7, and 8 of Riverbriar Phase II as requested by June and Paul Murray, Jr.

WHEREAS, Lots 4, 5, 6, 7, and 8 of Riverbriar Phase II were part of a C-2 zoning district in the 1981; and,

WHEREAS, the area was rezoned for a residential subdivision in the late 1990s, but most of the lots remain vacant today; and,

WHEREAS, the property owners have requested rezoning back to C-2; and,

WHEREAS, rezoning the property to C-2 complies with the recommendations in Plan 2030 and the Future Land Use Map; and,

WHEREAS, St. Charles Parish Planning and Zoning Commission held the required public hearing on June 6, 2013.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from R-1B to C-2 at Lots 4, 5, 6, 7, & 8 of Riverbriar Phase II as requested by June and Paul Murray, Jr.

SECTION II. To authorize the Department of Planning & Zoning to amend the official St. Charles Parish Zoning Map to reflect the zoning reclassification to C-2.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZR-2013-09 requested by Paul Murray, Jr. for a change in zoning classification from R-1B to C-2 for approximately 2.35 acres, Lots 4, 5, 6, 7 and 8 Riverbriar Phase II, addressed as 1, 2, 3, 4 and 5 Riverbriar Lane, Destrehan. Council District 3.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

Mr. Gibbs: Next item on the agenda is PZR-2013-09 requested by Paul Murray, Jr. for a change in zoning classification from R-1B to C-2 for approximately 2.35 acres, Lots 4, 5, 6, 7 and 8 Riverbriar Phase II, addressed as 1, 2, 3, 4 and 5 Riverbriar Lane, Destrehan, Council District 3. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. The applicant requests rezoning from R-1B back to C-2 on Riverbriar Subdivision Phase II. The property was zoned from C-2 to B-1 in 1999 in order to facilitate development of low-density residences. Residences have been built on the northern portion of that original area rezoned to R-1B—Riverbriar Phase I. Riverbriar Subdivision Phase II, completed in 2005, created four residential lots in the front yard of the Murray residence. One residence was built in 2005. Three lots remain vacant. Riverbriar Phase II is the area that the property owners request be rezoned back to C-2.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of the tests listed in applicable regulations. As a request to change back to the 1981 zoning that is also in line with the recommendations of the 2030 Comprehensive Plan, this request meets all the criteria of the third test, which is designed to ensure that the proposed zoning change is in keeping with zoning law and precedent, and protect the public interest by not creating incompatible or unrelated land uses that negatively affect neighboring properties. The request meets all the criteria of the third test in that it is not just an expansion of one C-2 zoning districts along River Road, it will connect two C-2 zoning districts, making the zoning district contiguous again—therefore it is not a spot zone.

Rezoning to C-2 would comply with the Future Land Use map and the current area development should limit the negative impacts to adjacent residential property. So we recommend approval.

Mr. Gibbs: This is a public hearing for PZR-2013-09. Anyone in the audience to speak in favor or against?

Good Evening, my name is Timothy Benedetto. I live on the north side abutting the Murray's property. I have no objections. I spoke to Mr. Murray about the details, he plans on putting his architectural firm there and I think it's going to be a classy project. I have no objections.

Mr. Gibbs: Thank you Mr. Benedetto. Anyone else to speak in favor or against PZR-2013-09? This is my district and I would appreciate everyone's support. I spoke to Mr. Chaisson who is also a neighbor and he's completely in favor so any support you guys can give, I would very much appreciate it.

Mr. Booth: This is just down River Road from my area and we don't have a problem with it. I believe it will be something pretty positive for the parish.

Mr. Gibbs: Thank you Mr. Booth. Anyone else so speak on PZR-2013-09? Mr. Murray.

I'm representing Paul Murray who is my dad. My name is Joey Murray, I live at 13880 River Road, Destrehan, just on the other side of the plantation house. That property is where I actually grew up. My dad's idea and mine as well is to go back to the commercial use of the building that he lives in now. He's going to build another home just to the rear of his property, next door to Mr. Benedetto. We intend to relocate our office which is currently on Airline Hwy. in Destrehan, back to the River Road where we were situated for years and years, just to be closer to our homes. We need your support and I'm here to answer questions that you may have.

Mr. Gibbs: Any questions, any concerns? Thank you Mr. Murray. Anyone else to speak on PZR-2013-09? Seeing none, the public hearing is closed. Cast your vote please.

YEAS:	Pierre, Booth, Gibbs, Galliano, Frangella
NAYS:	None
ABSENT:	Foster
ABSTAIN:	Loupe (has not been sworn in)

Mr. Gibbs: That's unanimous with Mr. Foster absent.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR-2013-09

GENERAL APPLICATION INFORMATION

- ♦ **Name/Address of Applicant:** June and Paul Murray, Jr.
1 Riverbriar Court
Destrehan, LA 70047
985.764.7275
- Application Date:** 5/8/2013
- ♦ **Location of Site:**
Lots 4, 5, 6, 7 and 8 Riverbriar Phase II, addressed as 1, 2, 3, 4 and 5 Riverbriar Lane, Destrehan
- ♦ **Requested Action:**
Rezone from R-1B to C-2

SITE-SPECIFIC INFORMATION

- ♦ **Size of Parcel:**
Approximately 2.35 acres
- ♦ **Existing Land Use and Zoning:**
Property is zoned R-1B and developed with two single-family homes.
- ♦ **Surrounding Land Uses and Zoning:**
To the north, property is zoned R-1B and developed with single family residences at low-density
To the east, property is zoned C-2 and developed with professional offices
To the south, is River Road, the levee, and vacant batture zoned B-1
To the west, Ormond Plantation is zoned C-2
- ♦ **Future Land Use Map Designation:**
Neighborhood Commercial
- ♦ **Traffic Access:**
Two of the lots to be rezoned have frontage on River Road, the other lots are served by Riverbriar Court.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.

- d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
- 3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

AND

[III.] C-2 General commercial district-- Retail sales:

- 1. Use Regulations:
 - a. A building or land shall be used for the following purposes:
 - (1) All uses allowed in C-1 District. (Ord. No. 88-5-5, 5-16-88)
 - (2) Retail sales (except auto and mobile home sales), usage, and storage
 - (3) Hotels, motels and apartment hotels
 - (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]
 - (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within Chapter 3 of the St. Charles Parish Code of Ordinances. (Ord. No. 94-11-2, § V, 11-7-94)
 - (6) Animal hospitals where all animals are kept inside the building
 - (7) Service station
 - (8) Commercial recreation facilities
 - (9) Commercial greenhouses and nurseries
 - (10) Commercial schools
 - (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following: bicycles, radios, televisions, stereos and recorders, household appliances, locksmith, typewriters, other similar uses
 - (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses: dressmakers, millinery, tailors, baking goods sales, laundry and dry, cleaners, theatres (but not the drive-in type)
 - (13) Laboratories
 - (14) Customary accessory uses incidental to the above uses when located on the same lot
 - (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department
 - (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts
 - Cellular/communication towers. (Ord. No. 95-9-11, 9-18-95)
 - (17) Other uses of similar intensity.
 - (18) Mini-storage facilities (limited to one-story construction in C-2 district). (Ord. No. 98-3-17)
 - b. Special exception uses and structures include the following:
 - (1) Dwelling units contained within the office building
 - (2) Reserved
 - (3) Reserved
 - (4) Churches
 - (5) Movie theaters
 - (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88) (Ord. No. 85-7-17, 7-22-85)
 - c. Special permit uses and structures include the following:
 - (1) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (2) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (3) Office buildings for gaming operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) Motor vehicle repair. Automobile sales and service on designated federal and state highways; body repair activities being strictly prohibited in the C-2 zoning district.

- (5) Heating and air conditioning service.
- (6) Sheet metal shops
- (7) Plumbing shops.
- (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
- (9) Bingo halls, video bingo parlors, and off-track betting establishments upon review of the planning commission and ordinance of the St. Charles Parish Council. (Ord. No. 92-9-14, 9-8-92; Ord. No. 94-1-9, § III, 1-10-94; Ord. No. 94-6-6, § I, 6-6-94; Ord. No. 98-7-6, 7-6-98; Ord. No. 02-5-21, 5-20-02; Ord. No. 03-1-12, § III, 1-21-03; Ord. No. 07- 5-07; Ord. No. 09-4-19, § 1, 4-20-09)
- 2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way; not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XI, 8-18-08)
- 3. Transportation Requirements: Arterial
- 4. Special Provisions:
 - a. Where any commercial use in a C-2 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones (Ord. No. 82-6-9, § III, 6-7-82; Ord. No. 98-1-3, § III, 1-5-98)

ANALYSIS

The applicant requests rezoning from R-1B back to C-2 on Riverbriar Subdivision Phase II. The property was zoned from C-2 to B-1 in 1999 in order to facilitate development of low-density residences. Residences have been built on the northern portion of that original area rezoned to R-1B—Riverbriar Phase I. Riverbriar Subdivision Phase II, completed in 2005, created four residential lots in the front yard of the Murray residence. One residence was built in 2005. Three lots remain vacant. Riverbriar Phase II is the area that the property owners request be rezoned back to C-2.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of the tests listed in applicable regulations. As a request to change back to the 1981 zoning that is also in line with the recommendations of the 2030 Comprehensive Plan, this request meets all the criteria of the third test, which is designed to ensure that the proposed zoning change is in keeping with zoning law and precedent, and protect the public interest by not creating incompatible or unrelated land uses that negatively affect neighboring properties. The request meets all the criteria of the third test in that it is not just an expansion of one C-2 zoning districts along River Road, it will connect two C-2 zoning districts, making the zoning district contiguous again—therefore it is not a spot zone.

Rezoning to C-2 would comply with the Future Land Use map and the current area development should limit the negative impacts to adjacent residential property.

DEPARTMENTAL RECOMMENDATION

Approval



2013-0224

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)

ORDINANCE NO. _____

An ordinance approving and authorizing a Home Occupation under the operation of Louise C. Nicholson – “Vea’s Fun Bounce and Slide” – inflatables rentals– at 15 Pine Lane, St. Rose.

WHEREAS, the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that home occupations requiring any state license or permit must be approved by the Parish Council; and,

WHEREAS, the home occupation permit requested by Louise C. Nicholson requires annual inspections/approval by the Louisiana State Fire Marshal; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended approval of the request at a regular meeting on June 6, 2013, with a stipulation that no inflatables be operated or maintained on common grounds of Charlestown unless and until a letter of no objection from the Charlestown Homeowners’ Association is filed with the Department of Planning and Zoning.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the request for a home occupation permit by Louise C. Nicholson to operate “Vea’s Fun Bounce and Slide”– inflatables rentals – at 15 Pine Lane, St. Rose – is approved.

SECTION II. That the Department of Planning & Zoning is authorized to grant said home occupation permit with the stipulation that no inflatables be operated or maintained on common grounds of Charlestown unless and until a letter of no objection from the Charlestown Homeowners’ Association is filed with the Department of Planning and Zoning.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZHO-2013-09 requested by Louise C. Nicholson for special permission to operate "Vea's Fun Bounce and Slide" – inflatable rentals at 15 Pine Lane, St. Rose. Zoning District R-3. Council District 5.

Planning Department Recommendation:

Approval with the following stipulation:

No maintenance of inflatables is to occur on the common grounds of Charlestown unless and until a letter of no objection is submitted to the Planning and Zoning Department

Planning Commission Recommendation:

Approval with the following stipulation:

No maintenance of inflatables is to occur on the common grounds of Charlestown unless and until a letter of no objection is submitted to the Planning and Zoning Department

PZHO-2013-09 requested by Louise C. Nicholson for special permission to operate "Vea's Fun Bounce and Slide" – inflatable rentals at 15 Pine Lane, St. Rose. Zoning District R-3. Council District 5. Ms. Stein.

Ms. Nicholson completed an application to use her home as the domicile for Vea's Fun Bounce and Slide in April. The completed application shows that she agrees to the operational regulations listed above. She has been informed that zoning compliance and a permit for a home based business does not negate any restrictive covenants on the property.

The request appears before the Planning and Zoning Commission because of the need for annual inspection/approval by the Fire Marshal.

It does not appear that the applicant's private property can accommodate inflating the inflatables for cleaning and maintenance; for that reason, the Department recommends that the business operate such that maintenance occurs on customer's properties or that the business submit a letter of no objection for using common ground for the maintenance of inflatables from the Charlestown Homeowners Association. We do recommend Approval with the following stipulation that No maintenance of inflatables is to occur on the common grounds of Charlestown unless and until a letter of no objection is submitted to the Planning and Zoning Department.

Mr. Gibbs: This is a public hearing for PZHO-2013-09 anyone in the audience to speak for or against?

My name is Louise Nicholson, I live at 15 Pine Lane. I'm the owner of Vea's Fun Bounce and Slide. My bounce and slide business is just an inflatable business for family entertainment. It will be solely run by myself. I will use my vehicle. Once it is delivered and before pick up it will be cleaned at the property of the rental, it will not be cleaned at the common area of my residence.

Mr. Gibbs: How many inflatables do you have Ms. Nicholson?

Ms. Nicholson: I have one slide and one bounce.

Mr. Gibbs: You do fully understand that if this passes, that any time you're going to be able to clean that your home.

Ms. Nicholson: I have no intentions on cleaning it at my residence.

Mr. Gibbs: We just want to make sure that it's clear. Any questions for Ms. Nicholson? Thank you Ms. Nicholson. Anyone else in the audience to speak in favor or against PZHO-2013-09?

Mr. Booth: this is in my area, we have no one to come forward to object to this. I recommend we do this with the stipulation that she's already agreed to.

Mr. Gibbs: Commission members cast your vote please.

YEAS: Pierre, Booth, Gibbs, Galliano, Frangella
NAYS: None
ABSENT: Foster
ABSTAIN: Loupe (has not been sworn in)

Mr. Gibbs: That's unanimous with Mr. Foster absent.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: HO 2013-09

GENERAL APPLICATION INFORMATION

- ♦ **Name/Address of Applicant:** **Application Date:** 4/24/13
 Louise C. Nicholson
 15 Pine Lane
 St. Rose, LA 70087
 985.783.0219 / 504.352.9279 / 504.352.9286
 Veas9902@gmail.com
- ♦ **Location of Site:**
 Same
- ♦ **Applicant's description of business:**
 I would like to operate an inflatable bounce/water slide business for families. The business will be solely owned and operated by myself. I will use my 2006 Nissan Titan, with trailer for delivery, on-site set-up and retrieval of equipment. My home at 15 Pine Lane, St. Rose Louisiana, 70087 will be used for storage of equipment and all other uses related to my business.

SITE-SPECIFIC INFORMATION

- ♦ **Existing Land Use and Zoning:**
 Multi-family residence in an R-3 zoning district.
- ♦ **Surrounding Land Uses and Zoning:**
 The site is surrounded by attached residential uses and R-3 zoning.
- ♦ **Traffic Access and parking:**
 The property is developed with a two-car carport.

APPLICABLE REGULATIONS

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
 - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
 - c. Deny the application.

C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § 1, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

FINDINGS

Ms. Nicholson completed an application to use her home as the domicile for Veal's Fun Bounce and Slide in April. The completed application shows that she agrees to the operational regulations listed above. She has been informed that zoning compliance and a permit for a home based business does not negate any restrictive covenants on the property.

The request appears before the Planning and Zoning Commission because of the need for annual inspection/approval by the Fire Marshal.

It does not appear that the applicant's private property can accommodate inflating the inflatables for cleaning and maintenance; for that reason, the Department recommends that the business operate such that maintenance occurs on customer's properties or that the business submit a letter of no objection for using common ground for the maintenance of inflatables from the Charlestown Homeowners Association.

DEPARTMENT RECOMMENDATIONS

Approval with the following stipulation:

1. **No maintenance of inflatables is to occur on the common grounds of Charlestown unless and until a letter of no objection is submitted to the Planning and Zoning Department.**

PZHO 2013-09
Requested by Louise Nicholson
To operate Vea's Fun Bounce and Slide
At 15 Pine Lane, St. Rose



2013-0220

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on **Ayo Lane in Paradis to five (5) miles per hour.**

WHEREAS, paragraph (a) of Section 15-9 of the Code provides that it is unlawful to operate any motor vehicle at a speed in excess of twenty-five (25) miles per hour on Parish streets; and,

WHEREAS, that Paragraph (a) of Section 15-9 has been amended to provide exceptions; and,

WHEREAS, the Parish Council desires to provide an exception to lower the speed limit on Ayo Lane in Paradis.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Section 15-9 of the Traffic Code is hereby amended to add No. 72 as follows:

- (a) It shall be unlawful for any person to operate any motor vehicle at a speed in excess of twenty-five (25) miles per hour on any of the Parish streets, roads, highways and bridges,

EXCEPT:

(72) Ayo Lane in Paradis, speed limit shall be five (5) miles per hour.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

Speed Limit Ayo Lane, Paradis-5mph

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2013-0221**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)****ORDINANCE NO.** _____

An ordinance approving and authorizing the execution of Change Order No. 1 (FINAL) for Norco 5th Street Sidewalk Project, State Project No. H.006592, Control Section No. 000-45, Federal Aid Project No. 4509(501); St. Charles Project No. P091101 to balance the quantities with actual quantities resulting in a decrease of \$39,559.95 and a decrease of 9 days.

WHEREAS, Ordinance No. 12-11-5 adopted November 5, 2012 by the St. Charles Parish Council awarded construction of Norco 5th Street Sidewalk Project, State Project No. H.006592, Control Section No. 000-45, Federal Aid Project No. 4509(501); St. Charles Project No. P091101, to HHP Construction Group, LLC; and,

WHEREAS, it is necessary to amend the contract to adjust the original contract quantities with current quantities resulting in a decrease to the contract amount by \$39,559.95, decrease the number of days by 9, and to accept all improvements.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Change Order No. 1 (FINAL) for Norco 5th Street Sidewalk Project, State Project No. H.006592, Control Section No. 000-45, Federal Aid Project No. 4509(501); St. Charles Project No. P091101 to decrease the contract amount by \$39,559.95 and decrease the contract time by 9 days is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Change Order on behalf of St. Charles Parish.

SECTION III. St Charles Parish considers the project complete and accepts all improvements and modifications installed during execution of the project.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after this publication in the official journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

CHANGE ORDER

No. 1 (FINAL) 35

DATE OF ISSUANCE 6/10/13

EFFECTIVE DATE _____

OWNER St. Charles Parish Department of Public Works and Wastewater

CONTRACTOR HHP Construction Group, LLC

Contract: St. Charles Parish Norco 5th Street Sidewalk Project No. P091101 (State Project No. H.006592/737-45-0001 and Federal Aid Project No. 4509(501) Control Section 000-45

Project: Norco 5th Street Sidewalk

OWNER's Contract No. P091101

ENGINEER's Contract No. N/A

ENGINEER Danny J. Hebert, P.E., L.L.C.

You are directed to make the following changes in the Contract Documents:

Description:

1. State Change Order 1; Amount: (\$39,559.95)

Reason for Change Order:

1. State Change Order 1: The purpose of this change order is to adjust the "As-Built" quantities for all pay items that did not match plan quantity for this project as well as introduce new items deemed beneficial to the public good.

Attachments: State Change Order 1

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>230,287.00</u>
Net Increase (Decrease) from previous Change Orders No. <u> </u> to <u> </u> : \$ <u>N/A</u>
Contract Price prior to this Change Order: \$ <u>230,287.00</u>
Net increase decrease of this Change Order: \$ <u>39,559.95</u>
Contract Price with all approved Change Orders: \$ <u>190,727.05</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>45 Working Days</u> Ready for final payment: <u>N/A</u> (days or dates)
Net change from previous Change Orders No. <u>N/A</u> to No. <u>N/A</u> : Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days or dates)
Net increase decrease this Change Order: Substantial Completion: <u>9 Working Days</u> Ready for final payment: <u>N/A</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>36 Working Days</u> Ready for final payment: <u>N/A</u> (days or dates)

RECOMMENDED:

APPROVED:

ACCEPTED:

By: [Signature]
ENGINEER (Authorized Signature)By:
OWNER (Authorized Signature)By: [Signature]
CONTRACTOR (Authorized Signature)Date: 6/10/13Date: Date: 6/10/13

EJCDC 1910-8-B (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

SMGR0005

Louisiana Department of Transportation and Development Change Order Report		NO.	001
		Date:	06/05/2013
S.P. NO.	H.006592.6	F.A.P. NO.	4509(501)
Name:	NORCO 5TH STREET SIDEWALK PROJECT	Primary Parish:	St. Charles
		Category 3 / 3M	

PROJECT DESCRIPTION:

This is a 0.692 mile long project on 5th Street in St. Charles Parish consisting of clearing and grubbing, drainage structures, Pavement patching, Portland Cement concrete pavement, and related work. This \$230,287.00 project was executed via proposal to St. Charles Parish Council sublet to HHP Construction Group on August 8, 2012.

EXPLANATION AND JUSTIFICATION:

This change order shall adjust the "As-Built" quantities for all pay items that did not match plan quantity for this project as well as introduce new items deemed beneficial to the public good.

SPECIFICATIONS:

It is not the intent of this change order to alter any specifications governing this contract.

ITEMS AFFECTED:

Project Number H.006592.6

204-05-00100 Line Item 0004 = 204-05-00100 Temporary Sediment Check Dams (Hay):

Decrease by 30 EACH to zero or -100%.

The quantity of this temporary erosion control feature was adjusted due to the contractor's sequence of construction and the time of placement of permanent erosion control features, the nature of the surrounding terrain and the characteristics of the existing soils, and/or the weather at the time of construction. The adjusted quantity was the amount required to adequately control erosion and to effectively prevent water pollution during the construction of this project.

204-06-00100 Line Item 0005 = 204-06-00100 Temporary Silt Fencing:

Decrease by 3660 LNFT to zero or -100%.

The quantity of this temporary erosion control feature was adjusted due to the contractor's sequence of construction and the time of placement of permanent erosion control features, the nature of the surrounding terrain and the characteristics of the existing soils, and/or the weather at the time of construction. The adjusted quantity was the amount required to adequately control erosion and to effectively prevent water pollution during the construction of this project.

204-07-00100 Line Item 0006 = 204-07-00100 Temporary Stone Construction Entrance:

Decrease by 2 EACH to zero or -100%.

The quantity of this temporary erosion control feature was adjusted due to the contractor's sequence of construction and the time of placement of permanent erosion control features, the nature of the surrounding terrain and the characteristics of the existing soils, and/or the weather at the time of construction. The adjusted quantity was the amount required to adequately control erosion and to effectively prevent water pollution during the construction of this project.

402-01-00100 Line Item 0007 = 402-01-00100 Traffic Maintenance Aggregate (Vehicular Measurement):

Decrease by 50 CUYD to zero or -100%.

Due to limitations on right of way and numerous areas with ditches, there is not enough space to add traffic maintenance aggregate on this roadway. Therefore, this item needs to be eliminated.

510-01-00100 Line Item 0008 = 510-01-00100 Pavement Patching (6" Minimum Thickness):

Decrease by 10 SQYD to zero or -100%.

After inspecting 5th Street in Norco, no noticeable ruts or holes in roadway were found to need pavement patching. Therefore, this item needs to be eliminated.

701-04-01020 Line Item 0009 = 701-04-01020 Storm Drain Pipe Arch (18" Equiv. RCPA):

Increase by 38 LNFT or 22.35%.

After construction layout was completed, some areas of project needed to be modified to fit existing conditions. Different widths of pipe needed to be substituted or eliminated from the existing plans to create a more efficient system for the project.

At Station 32+23, a 24" RCP was added under the sidewalk to flow into an existing structure. At Stations 13+97 and 16+90, a 6" yard drain pipe was added to connect to service existing pipes from a nearby school. Therefore, these items need to be modified, eliminated or created to upgrade the drainage system..

701-04-01040 Line Item 0010 = 701-04-01040 Storm Drain Pipe Arch (24" Equiv. RCPA):

Decrease by 45 LNFT to zero or -100%.

After construction layout was completed, some areas of project needed to be modified to fit existing conditions. Different widths of pipe needed to be substituted or eliminated from the existing plans to create a more efficient system for the project.

At Station 32+23, a 24" RCP was added under the sidewalk to flow into an existing structure. At Stations 13+97 and 16+90, a 6" yard drain pipe was added to contract to service existing pipes from a nearby school. Therefore, these items need to be modified, eliminated or created to upgrade the drainage system.

701-04-01060 Line Item 0011 = 701-04-01060 Storm Drain Pipe Arch (30" Equiv. RCPA):

Decrease by 33 LNFT or -17.84%.

After construction layout was completed, some areas of project needed to be modified to fit existing conditions. Different widths of pipe needed to be substituted or eliminated from the existing plans to create a more efficient system for the project.

At Station 32+23, a 24" RCP was added under the sidewalk to flow into an existing structure. At Stations 13+97 and 16+90, a 6" yard drain pipe was added to contract to service existing pipes from a nearby school. Therefore, these items need to be modified, eliminated or created to upgrade the drainage system.

701-07-00300 Line Item 0012 = 701-07-00300 Yard Drain Pipe (8"):

Increase by 8.8 LNFT or 58.67%.

After construction layout was completed, some areas of project needed to be modified to fit existing conditions. Different widths of pipe needed to be substituted or eliminated from the existing plans to create a more efficient system for the project.

At Station 32+23, a 24" RCP was added under the sidewalk to flow into an existing structure. At Stations 13+97 and 16+90, a 6" yard drain pipe was added to contract to service existing pipes from a nearby school. Therefore, these items need to be modified, eliminated or created to upgrade the drainage system.

701-07-00500 Line Item 0013 = 701-07-00500 Yard Drain Pipe (12"):

Decrease by 3 LNFT or -20.00%.

After construction layout was completed, some areas of project needed to be modified to fit existing conditions. Different widths of pipe needed to be substituted or eliminated from the existing plans to create a more efficient system for the project.

At Station 32+23, a 24" RCP was added under the sidewalk to flow into an existing structure. At Stations 13+97 and 16+90, a 6" yard drain pipe was added to contract to service existing pipes from a nearby school. Therefore, these items need to be modified, eliminated or created to upgrade the drainage system.

702-03-00001 Line Item 0015 = 702-03-00001 Catch Basin (Remove and Replace Frame and Cover):

Decrease by 1 EACH to zero or -100%.

Upon inspection after construction layout, determination was made by the contractor and engineer to substitute line item 15 with a new item for a CB-04. This created a savings for the project along with a more efficient catch basin for this area of project. The catch basin was placed at Station 15+92.

702-03-00100 Line Item 0016 = 702-03-00100 Catch Basins (CB-01):

Decrease by 2 EACH or -66.67%.

After construction layout, additional pipes from a sewer line were found within the project limits that were not identified in the plans.

Revisions to the plans were created to address the needs of the public. Two CB-01 catch basins were eliminated from the project and an additional CB-02 catch basin was added at Station 36+15. In order to address the loss of the CB-01's, a conflict box was built at Station 26+00 in order to accommodate the numerous pipes allowed to flow into this structure. The conflict box plus the complete Structure 5.1 and the bottom only of Structure 6.2 were included into the Point Repair. The intent of these items were not changed for the project, only revised to accommodate the schools and nearby homeowners.

702-03-00200 Line Item 0017 = 702-03-00200 Catch Basins (CB-02):

Increase by 1 EACH or 33.33%.

After construction layout, additional pipes from a sewer line were found within the project limits that were not identified in the plans.

Revisions to the plans were created to address the needs of the public. Two CB-01 catch basins were eliminated from the project and an additional CB-02 catch basin was added at Station 36+15. In order to address the loss of the CB-01's, a conflict box was built at Station 26+00 in order to accommodate the numerous pipes allowed to flow into this structure. The conflict box plus the complete Structure 5.1 and the bottom only of Structure 6.2 were included into the Point Repair. The intent of these items were not changed for the project, only revised to accommodate the schools and nearby homeowners.

706-01-00100 Line Item 0018 = 706-01-00100 Concrete Walk (4" Thick):

Decrease by 401.34 SQYD or -21.12%.

There were more driveways than anticipated for the project. Therefore, there was an increase in bedding material and 6" concrete walk to handle vehicle loads. Subsequently, there was a decrease in the necessity for 4" walk as the 6" walk was substituted.

706-01-00300 Line Item 0019 = 706-01-00300 Concrete Walk (6" Thick):

Increase by 65.55 SQYD or 262.20%.

There were more driveways than anticipated for the project. Therefore, there was an increase in bedding material and 6" concrete walk to handle vehicle loads. Subsequently, there was a decrease in the necessity for 4" walk as the 6" walk was substituted.

716-01-00100 Line Item 0021 = 716-01-00100 Mulch (Vegetative):

Decrease by 2 TON to zero or -100%.

After construction of the sidewalk and all leveling of material d within the project limits, determination was made by the engineer that a sufficient amount of grass was already growing in the necessary areas. Therefore, these items need to be eliminated.

726-01-00100 Line Item 0022 = 726-01-00100 Bedding Material:

Increase by 3.1 CUYD or 10.33%.

There were more driveways than anticipated for the project. Therefore, there was an increase in bedding material and 6" concrete walk to handle vehicle loads. Subsequently, there was a decrease in the necessity for 4" walk as the 6" walk was substituted.

729-01-00100 Line Item 0024 = 729-01-00100 Sign (Type A):

Decrease by 52 SQFT to zero or -100%.

As there is a Phase II for this project, determination was made to hold off on these items and pay them as part of Phase II. Therefore, this item needs to be eliminated.

729-08-00100 Line Item 0025 = 729-08-00100 Mounting (2 1/2" Size Post):

Decrease by 4 EACH to zero or -100%.

As there is a Phase II for this project, determination was made to hold off on these items and pay them as part of Phase II. Therefore, this item needs to be eliminated.

732-01-02060 Line Item 0026 = 732-01-02060 Plastic Pavement Striping (12" Width) (Thermoplastic 125 mil):

Decrease by 70 LNFT or -14.58%.

The quantity of this item was adjusted to comply with the typical finished sections within the project plans, the design standards set forth by Standard Plans PM-01, PM-02, PM-03, PM-04, PM-05, PM-06, PM-07, PM-08, and PM-09, and the Traffic Engineer's assignment of passing and no-passing zones. The quantity was adjusted to the actual field measurement for each required application.

739-01-00100 Line Item 0028 = 739-01-00100 Hydro-Seeding:

Decrease by 2 ACRE to zero or -100%.

After construction of the sidewalk and all leveling of material d within the project limits, determination was made by the engineer that a sufficient amount of grass was already growing in the necessary areas. Therefore, these items need to be eliminated.

741-06-00100 Line Item 0030 = 741-06-00100 Relocating Fire Hydrant:

Decrease by 5 EACH to zero or -100%.

Determination was made by Engineer to revise plans for sidewalk to bypass fire hydrants. Therefore, this item needs to be eliminated.

741-11-00200 Line Item 0031 = 741-11-00200 Adjusting Water Valve and Meter Box:

Increase by 2 EACH or 20.00%.

Two additional water valve meter boxes were adjusted at stations 15+50 and 15+51 after completion of sidewalk. Therefore, this items needs to be increased.

701-03-01040 Line Item 9001 = 701-03-01040 Storm Drain Pipe (24" RCP):

Create item for 8 LNFT or 100%.

After construction layout was completed, some areas of project needed to be modified to fit existing conditions. Different widths of pipe needed to be substituted or eliminated from the existing plans to create a more efficient system for the project.

At Station 32+23, a 24" RCP was added under the sidewalk to flow into an existing structure. At Stations 13+97 and 16+90, a 6" yard drain pipe was added to connect to service existing pipes from a nearby school. Therefore, these items need to be modified, eliminated or created to upgrade the drainage system..

701-07-00200 Line Item 9002 = 701-07-00200 Yard Drain Pipe (6"):

Create item for 20.4 LNFT or 100%.

After construction layout was completed, some areas of project needed to be modified to fit existing conditions. Different widths of pipe needed to be substituted or eliminated from the existing plans to create a more efficient system for the project.

At Station 32+23, a 24" RCP was added under the sidewalk to flow into an existing structure. At Stations 13+97 and 16+90, a 6" yard drain pipe was added to connect to service existing pipes from a nearby school. Therefore, these items need to be modified, eliminated or created to upgrade the drainage system..

702-03-00300 Line Item 9003 = 702-03-00300 Catch Basins (CB-04):

Create item for 1 EACH or 100%.

Upon inspection after construction layout, determination was made by the contractor and engineer to substitute line item 15 with a new item for a CB-04. This created a savings for the project along with a more efficient catch basin for this area of project. The catch basin was placed at Station 15+92.

702-04-00150 Line Item 9004 = 702-04-00150 Adjusting Manholes w/Manhole Adjustment Rings:

Create item for 1 EACH or 100%.

After construction layout and during the course of work, four catch basins and one manhole were identified as needing adjustment to facilitate proper drainage and sidewalk elevation. At Station 8+24, a manhole was adjusted with a manhole adjustment ring to correspond with new sidewalk elevation. At Stations 35+03, 35+43, 35+83 and 36+15, catch basins were adjusted to create a uniform slope to drain water.

702-04-00200 Line Item 9005 = 702-04-00200 Adjusting Catch Basins:

Create item for 4 EACH or 100%.
After construction layout and during the course of work, four catch basins and one manhole were identified as needing adjustment to facilitate proper drainage and sidewalk elevation. At Station 8+24, a manhole was adjusted with a manhole adjustment ring to correspond with new sidewalk elevation. At Stations 35+03, 35+43, 35+83 and 36+15, catch basins were adjusted to create a uniform slope to drain water.

701-15-00100 Line Item 9006 = 701-15-00100 Point Repair:

Create item for 1 EACH or 100%.
After construction layout, additional pipes from a sewer line were found within the project limits that were not identified in the plans. Revisions to the plans were created to address the needs of the public. Two CB-01 catch basins were eliminated from the project and an additional CB-02 catch basin was added at Station 36+15. In order to address the loss of the CB-01's, a conflict box was built at Station 26+00 in order to accommodate the numerous pipes allowed to flow into this structure. The conflict box plus the complete Structure 5.1 and the bottom only of Structure 6.2 were included into the Point Repair. The intent of these items were not changed for the project, only revised to accommodate the schools and nearby homeowners.

COST:
The total costs of all pay items affected by this change order results in a net decrease of \$39,559.95.

TIME:
All claims, rights, or causes of action for additional contract time arising from the changes made herein are waived by the Contractor.

ATTACHMENTS:
Change Order No. 1 Category Worksheet
Invoice of Items
Proposal from Contractor

RESOLUTION:
It is agreed by the parties hereto that this change order represents final adjustment for any and all compensation and time due or to become due to Contractor for changes to the project's work referred to herein. Contractor further releases all other claims, if any, for additional compensation under this contract, including, without limitation, any rights, causes of action, or claims Contractor may have for additional compensation arising out of delays or disruption of contractor's construction/work schedule as may have arisen prior to the date of this change order, excepting only those claims previously submitted in writing in strict accordance with the contract and EDSM III.1.1.28. It is further agreed that the Department reserves and continues to reserve any defenses to all claims released hereby and further reserves all actions, causes of action, or claims of any kind or nature, including all contractual and legal warranties against the Contractor and indemnity and/or contribution against third parties not signing this change order.

Item No.	Item	Major Item	Price per Unit	Change		Current Quantity	Revised Quantity	% Change
		% of Cont.		Quantity	Amount			
204-05-00100	Temporary Sediment Check Dams (Hay)	No	\$125.00	-30.000	-\$3,750.00	30.000	0.000	100.00%
H.006592.6 / 0004		0.00%	EACH					
204-06-00100	Temporary Silt Fencing	No	\$1.85	3660.000	-\$6,771.00	3660.000	0.000	100.00%
H.006592.6 / 0005		0.00%	LNFT					
204-07-00100	Temporary Stone Construction Entrance	No	\$615.00	-2.000	-\$1,230.00	2.000	0.000	100.00%
H.006592.6 / 0006		0.00%	EACH					
402-01-00100	Traffic Maintenance Aggregate (Vehicular Measurement)	No	\$70.00	-50.000	-\$3,500.00	50.000	0.000	100.00%
H.006592.6 / 0007		0.00%	CUYD					
510-01-00100	Pavement Patching (6" Minimum Thickness)	No	\$98.00	-10.000	-\$980.00	10.000	0.000	100.00%
H.006592.6 / 0008		0.00%	SQYD					
701-04-01020	Storm Drain Pipe Arch (18" Equiv. RCPA)	No	\$61.00	38.000	\$2,318.00	170.000	208.000	22.35%
H.006592.6 / 0009		5.51%	LNFT					
701-04-01040	Storm Drain Pipe Arch (24" Equiv. RCPA)	No	\$85.00	-45.000	-\$3,825.00	45.000	0.000	100.00%

H.006592.6 / 0010		0.00%	LNFT					
701-04-01060	Storm Drain Pipe Arch (30" Equiv. RCPA)	No	\$90.00	-33.000	-\$2,970.00	185.000	152.000	-17.84%
H.006592.6 / 0011		5.94%	LNFT					
701-07-00300	Yard Drain Pipe (8")	No	\$27.00	8.800	\$237.60	15.000	23.800	58.67%
H.006592.6 / 0012		0.28%	LNFT					
701-07-00500	Yard Drain Pipe (12")	No	\$32.00	-3.000	-\$96.00	15.000	12.000	-20.00%
H.006592.6 / 0013		0.17%	LNFT					
702-03-00001	Catch Basin (Remove and Replace Frame and Cover)	No	\$2500.00	-1.000	-\$2,500.00	1.000	0.000	100.00%
H.006592.6 / 0015		0.00%	EACH					
702-03-00100	Catch Basins (CB-01)	No	\$1500.00	-2.000	-\$3,000.00	3.000	1.000	-66.67%
H.006592.6 / 0016		0.65%	EACH					
702-03-00200	Catch Basins (CB-02)	No	\$1750.00	1.000	\$1,750.00	3.000	4.000	33.33%
H.006592.6 / 0017		3.04%	EACH					
706-01-00100	Concrete Walk (4" Thick)	Yes	\$47.50	-401.340	\$19,063.65	1900.000	1498.660	-21.12%
H.006592.6 / 0018		30.91%	SQYD					
706-01-00300	Concrete Walk (6" Thick)	No	\$100.00	65.550	\$6,555.00	25.000	90.550	262.20%
H.006592.6 / 0019		3.93%	SQYD					
716-01-00100	Mulch (Vegetative)	No	\$800.00	-2.000	-\$1,600.00	2.000	0.000	100.00%
H.006592.6 / 0021		0.00%	TON					
726-01-00100	Bedding Material	No	\$70.00	3.100	\$217.00	30.000	33.100	10.33%
H.006592.6 / 0022		1.01%	CUYD					
729-01-00100	Sign (Type A)	No	\$25.00	-52.000	-\$1,300.00	52.000	0.000	100.00%
H.006592.6 / 0024		0.00%	SQFT					
729-08-00100	Mounting (2 1/2" Size Post)	No	\$1200.00	-4.000	-\$4,800.00	4.000	0.000	100.00%
H.006592.6 / 0025		0.00%	EACH					
732-01-02060	Plastic Pavement Striping (12" Width) (Thermoplastic 125 mil)	No	\$2.70	-70.000	-\$189.00	480.000	410.000	-14.58%
H.006592.6 / 0026		0.48%	LNFT					
739-01-00100	Hydro-Seeding	No	\$2150.00	-2.000	-\$4,300.00	2.000	0.000	100.00%
H.006592.6 / 0028		0.00%	ACRE					
741-06-00100	Relocating Fire Hydrant	No	\$1000.00	-5.000	-\$5,000.00	5.000	0.000	100.00%
H.006592.6 / 0030		0.00%	EACH					
741-11-00200	Adjusting Water Valve and Meter Box	No	\$175.00	2.000	\$350.00	10.000	12.000	20.00%
H.006592.6 / 0031		0.91%	EACH					
701-03-01040	Storm Drain Pipe (24" RCP)	No	\$85.00	8.000	\$680.00	0.000	8.000	New
H.006592.6 / 9001		0.30%	LNFT					
701-07-00200	Yard Drain Pipe (6")	No	\$24.00	20.400	\$489.60	0.000	20.400	New
H.006592.6 / 9002		0.21%	LNFT					
702-03-00300	Catch Basins (CB-04)	No	\$1837.00	1.000	\$1,837.00	0.000	1.000	New
H.006592.6 / 9003		0.80%	EACH					
702-04-00150	Adjusting Manholes w/Manhole Adjustment Rings	No	\$150.00	1.000	\$150.00	0.000	1.000	New
H.006592.6 / 9004		0.07%	EACH					

702-04-00200	Adjusting Catch Basins	No	\$1072.50	4,000	\$4,290.00	0.000	4,000	New
H.006592.6 / 9005		1.86%	EACH					
701-15-00100	Point Repair	No	\$6440.50	1,000	\$6,440.50	0.000	1,000	New
H.006592.6 / 9006		2.80%	EACH					
Additional Contract Days Requested None		Amount of Under Run : -\$39,559.95						

Requested By:

Date: _____

Hebert, Danny
Resident Engineer

Recommended By:

Date: _____

District Administrator

Accepted By:

Date: _____

ST CHARLES PARISH COUNCIL
Contractor

By: _____

Approved:

Date: _____

Chief Engineer

State Project No. H.006592.6
Plan Change #001
Approved
03158125413
06/07/2013
Original Contract Cost: \$230,287.00
Total Approved Change Order to date: -\$39,559.95
% of Total Approved Cost: 17.179%
Order Approver Date Action Comments
1 Weber, Alan 06/07/2013 Approve
2 Zeringue, Lee 06/10/2013 Approve
3 Hebert, Danny 06/10/2013 Approve

2013-0225

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Code of Ordinances Appendix A, Zoning, Sections III. Definitions, VI.(C).[III].1.a, C-2 Permitted Uses and VI.(H).[1], Historic District Permitted Uses, to add a definition for Historic Home Site Bed and Breakfast and to add the same as a permitted use in the C-2 and H zoning districts.

WHEREAS, Bed and breakfast is a small-scale style of lodging that differs from hotels and motels which are defined in the Zoning Ordinance; and,

WHEREAS, Bed and breakfast is a style of lodging suited to the historic plantation homes and plantation sites on River Road in St. Charles Parish; and,

WHEREAS, Bed and breakfast style lodging supports cultural/historic tourism; and,

WHEREAS, Generally, lodging should be restricted from residential areas; and,

WHEREAS, Allowing bed and breakfast lodging as a permitted use implements Policy ED 5-4 of the St. Charles Comprehensive Plan 2030; and,

WHEREAS, The St. Charles Parish Council wishes to permit this use in historic structures.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix A, Section III is amended to add:

32.3 *Historic Home site bed and breakfast* Accommodations for tourists and travelers which provide sleeping rooms within an historic home or on the historic home site in another historic structure. Historic home sites are identified as having a main structure that is over 100 years old and is located in a Commercial or Historic Zoning District

SECTION II. That the St. Charles Parish Code of Ordinances, Appendix A, VI.(C).[III].1.a, C-2 Zoning District, is amended to add the following:

19. Historic home site bed and breakfast

SECTION III. That the St. Charles Parish Code of Ordinances, Appendix A, Section VI.H.[1], Historic Preservation District, is amended to add the following:

d. Historic home site bed and breakfast

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZO-2013-07 Requested by V. J. St. Pierre, Jr., Parish President, for an ordinance to amend the St. Charles Parish Zoning Ordinance, Section III. Definitions to add a definition for Bed and Breakfast and Sections VI.(C).[III].1.a and VI.(H).[1] to add Bed and Breakfast as a permitted use in the C-2 and H zoning districts.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

Mr. Gibbs: Next item on the agenda is PZO-2013-07 Requested by V. J. St. Pierre, Jr., Parish President, for an ordinance to amend the St. Charles Parish Zoning Ordinance, Section III. Definitions to add a definition for Bed and Breakfast and Sections VI.(C).[III].1.a and VI.(H).[1] to add Bed and Breakfast as a permitted use in the C-2 and H zoning districts. Ms. Stein.

Ms. Stein: You have a slightly revised ordinance in front of you. The long and the short of it is the Comprehensive Plan of 2030 suggested that we allow our historic homes to be used as bed and breakfast. Very specifically that's what it called for. When we looked at bed and breakfast, generally that model for accommodations is over night accommodations. Almost all the definitions nationwide are owner occupied structures, none of our historic homes are actually owner occupied as far as we are aware. One is owned by a non profit, the other one is sole proprietorship, I'm pretty sure, but I don't think the owners live in the building and the third one anyone is living there right now. So that gave us a little bit of trouble figuring out what to do if the residents don't actually live there to manage them so we looked around using New Orleans models and came up with a historic home site bed and breakfast that does not actually require the building owner to reside there and cook the breakfast for the guest. I would think this would open up some opportunity at Destrehan Plantation and certify some things that are happening at Ormond Plantation.

Mr. Gibbs: It's a little interesting to me, you're going to have a bed and breakfast, I got to think it's going to be managed.

Ms. Stein: It's going to be managed, Destrehan Plantation is moving historic structures to its sites. It's collecting older cottages from other places.

Mr. Gibbs: I got you.

Ms. Stein: We think we've accommodated everything and we'll able to generate some revenue while providing quality accommodations.

Mr. Booth: Sounds like you will be able to advertise it as a historic part of the culture. This would be a big plus for the parish.

Mr. Gibbs: I'm going to open it up for a public hearing but I don't see anyone. This is a public hearing for PZO-2013-07. There's no one to speak in favor or against, so Commission members cast your vote.

YEAS: Pierre, Booth, Gibbs, Galliano, Frangella
NAYS: None
ABSENT: Foster
ABSTAIN: Loupe (has not been sworn in)

Mr. Gibbs: That's unanimous with Mr. Foster absent.

2013-0227

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)
PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Flood Damage Prevention Ordinance, Section XX.C.2, to utilize the Preliminary Digital Flood Insurance Rates Maps (DFIRMs) in determining the minimum building elevations and removing the locally established BFE for A99 Flood Zones.

WHEREAS, St. Charles Parish has received Preliminary Digital Flood Insurance Rates Maps (DFIRMs) from the Federal Emergency Management Agency dated as Revised Preliminary November 9, 2012; and,

WHEREAS, St. Charles Parish wishes to enact and enforce regulations to promote flood safe construction; and,

WHEREAS, the DFIRMs represent the best available data on elevation requirements; and,

WHEREAS, the process of analyzing and adopting the DFIRMs will take some time, and citizens should be protected from flooding and from future insurance premiums adjustments based on map changes.

NOW, THEREFORE, THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Section XX.C.2 of the St. Charles Parish Zoning Ordinance is amended as follows:

2. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the Parish of St. Charles," stamped preliminary June 27, 1991, and any revisions thereto, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and declared to be a part of this Ordinance. The Flood Insurance Study is on file at the St. Charles Parish Courthouse, River Road, Hahnville, Louisiana. In addition, the Advisory Base Flood Elevations (ABFE) as described in the "Recovery Guidance" released on November 2006 (outside the levee East Bank) and April 2006 (inside the levee East Bank) and the "Flood Recovery Guidance for St. Charles Parish" dated November 2005 (West Bank) and their associated maps (.pdf and GIS formats) will take precedent over the existing FIRMS and local Flood Plan Ordinances for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rates Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St. Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive.

SECTION II. That the St. Charles Parish Code of Ordinances, Section XX.E.2 be modified to read as follows:

"2. Specific Standards: In all areas designated as "X" Zones on the Federal Insurance Rate Map (FIRM) for St. Charles Parish, all buildings or structures shall be elevated so that the lowest portion of the structural members of the lowest floor are located at least twelve (12) inches above the center line of the nearest street right-of-way. In all areas designated as "A99" Zones on the Federal Insurance Rate Map (FIRM) for St. Charles Parish, all buildings or structures shall be elevated to the elevation of +4.6 feet above sea level (N.G.V.D. 1929) or located at least twelve (12) inches above the center line of the nearest street right-of-way which ever is greater. In all areas of special flood hazard where base flood elevations have been provided as set forth in section C.2. or in section D.4.h. the following standards are required:

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZO-2013-08 requested by V.J. St. Pierre, Jr., Parish President, Paul J. Hogan, Councilman, District IV for an ordinance to amend the St. Charles Parish Flood Damage Prevention Ordinance, Section XX.C.2, to utilize the Preliminary Digital Flood Insurance Rates Maps (DFIRMs) in determining the minimum building elevations and removing the locally established BFE for A99 Flood Zones.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

Mr. Gibbs: Next item on the agenda is PZO-2013-08 requested by V.J. St. Pierre, Jr., Parish President, Paul J. Hogan, Councilman, District IV for an ordinance to amend the St. Charles Parish Flood Damage Prevention Ordinance, Section XX.C.2, to utilize the Preliminary Digital Flood Insurance Rates Maps (DFIRMs) in determining the minimum building elevations and removing the locally established BFE for A99 Flood Zones. Mr. Matherne.

Mr. Matherne: First and foremost this is not about the FEMA new flood maps, by no stretch of the imagination, it does not touch insurance whatsoever. I'm sure you've heard that there is a new flood map out for St. Charles Parish, as we currently enforce the flood ordinance, the maps from 1991, are used for determining the actual flood insurance rates, but the advisory base flood elevations, which were released post Katrina, they were kind of forced on us, on what we used to determine building elevations. For instance, if you're on the east bank, whatever elevation you're at, you have to be 3 ft. higher than that, it's a little bit of a silly arbitrary requirement, but it's what FEMA put out immediately post Katrina to give some guidance to the area. In the Bayou Gauche area, it's still an X zone as far as insurance goes, but the requirement has been +5. Since the digital maps have come out and since the other provisions of the law changed, we have concerns that this will nix the results. The first concern and probably the most important concern is on the west bank where I'll use Bayou Gauche for an example – the advisory base flood elevation and the elevation that is the maximum that we can require is 5 ft. However, the new base flood elevation on the new maps is either 6 or 7 ft. So what we're doing is by law we're still allowing people to be below what we know that new elevation is likely to be and therefore putting themselves in a high likelihood that their flood insurance is going to go through the roof. This amendment to the ordinance will require them to build to the new heights as required on the new preliminary DFIRMS. So that should resolve that and give them a better idea or more realistic idea of what they actually need to be at when those new flood maps come in and therefore their flood insurance will not be \$20,000 or \$5000 for being a foot too low. The other thing it does is on the east bank of the parish where the new maps actually show a reduction of the requirement, we're going to stop requiring them to build higher than they need to be, giving an example in there, the elevation inside of Ormond right now is an A99, it's required to be 4.6 ft. above sea level or 3 ft. above the Highest Existing Adjacent Grade (HEAG), which is the ground that's out there right now, when the new requirement is only 2.5. So what it would do on the east bank, it would take the arbitrary advisory base flood elevations and go to what the maps are going to be and that way they won't have to do things just because that's what somebody said somewhere along the line and the west bank it will protect people from the map change.

Mr. Gibbs: I hope you confused everyone up there as much as you can possibly do it, but I do understand you, so there is one of us.

Mr. Booth: I think we ought to adopt this because it's something that would bring us into the 21st century.

Mr. Gibbs: This makes sense to pass this. So this is a public hearing for PZO-2013-08 there is no one to speak in favor or against, so cast your vote please.

YEAS: Pierre, Booth, Gibbs, Galliano, Frangella
NAYS: None
ABSENT: Foster
ABSTAIN: Loupe (has not been sworn in)

Mr. Gibbs: That's unanimous with Mr. Foster absent.

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)

ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances Appendix A, Zoning, Section VI.(D)[II].M-2 Heavy manufacturing and industry 1.a. to allow towing yards.

WHEREAS, Towing yards are defined in the Zoning Ordinance as an open area used for temporary vehicle storage in which no repair, dismantling, auto-wrecking, or sale of salvaged parts occurs. Towing yards shall not exceed storage of fifty (50) vehicles and vehicles shall be stored no longer than ninety (90) days; and,

WHEREAS, Towing yards are only permitted in the M-1, Light Industrial, land use zoning district by Special Permit Use; and,

WHEREAS, Principally permitted uses in the M-1 Zoning District are also permitted in the M-2 Zoning District subject to the M-1 regulations; and,

WHEREAS, The M-2 Zoning District lists junkyards as a principally permitted use; and,

WHEREAS, The definition of a towing yard specifically prohibits dismantling; and,

WHEREAS, Towing yards are less intensive than junk yards as a land use; and,

WHEREAS, The St. Charles Parish Council wishes to allow Towing Yards as a permitted use in the M-2 zoning district subject to the M-1 Special Permit requirements.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code, Appendix A, Zoning Ordinance of 1981, Section VI.(D)[II].M-2 Heavy manufacturing and industry 1.a. is hereby amended to add the following:

(10) Towing yards subject to requirements in Section VI(D)(I)c(5)1-4 relisted here:

- (1) Site plan approval. All tow yard operators must secure approval of a site plan. The site plan shall include:
 - a) The storage layout and the maximum number of vehicles proposed to be stored, see Towing Yard definition for limits. All storage parking spaces shall open directly to an access drive. Vehicles shall not be stored on top of each other. All vehicles shall be stored on an aggregate parking surface;
 - b) A seven-foot solid, opaque fence will enclose such yards and shall be maintained in a constant state of good repair. Entrances will be constructed of the same material as the fence. All entrances shall remain closed when not in use;
 - c) A ten (10) foot buffer zone when abutting a C-3 or lesser intensive use or zoning district. The buffer shall be planted with acceptable trees and shrubs;
 - d) All buildings and structures to be located on the site and the required off-street parking layout.
- (2) Towing yard operators shall maintain records of each vehicle and its storage period. These records shall be available upon request of the planning department.
- (3) Towing yards shall also adhere to state and local licensing requirements.
- (4) Any change of permitted plan will result in a cease and desist order being placed on the towing yard.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZO-2013-09 Requested by V. J. St. Pierre, Jr., Parish President, for an ordinance to amend the St. Charles Parish Zoning Ordinance, Section VI.(D).(II).(a). to permit Towing Yards in the M-2 zoning district subject to the M-1 regulations.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

Mr. Gibbs: The last item on the agenda tonight is PZO-2013-09 Requested by V. J. St. Pierre, Jr., Parish President, for an ordinance to amend the St. Charles Parish Zoning Ordinance, Section VI.(D).(II).(a). to permit Towing Yards in the M-2 zoning district subject to the M-1 regulations. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. This is a little bit of zoning ordinance housekeeping that clears up some confusion in our office. Towing yards are a Special Permit Use in the M-1 zoning district. In the past someone may have made an interpretation that it meant that if you follow a pyramid, which people say zoning should do, that would mean that a towing yard should be permitted just because in the next zoning district which is not exactly correct because the zoning ordinance is more like the Christmas Tree where some things don't actually flow naturally to the next level as a permitted use. So what we're saying is they should be considered a permitted use but we need to make sure that they follow the same site development guidelines that are required in the M-1 zoning district so we're just putting it in print and making it legit and clear, so that we're not interpreting the zoning ordinance the way we shouldn't be interpreting it.

Mr. Gibbs: Thank you Ms. Stein. This is a public hearing for PZO-2013-09, there is no one to speak in favor or against so Commission members cast your vote please.

YEAS: Pierre, Booth, Gibbs, Galliano, Frangella
NAYS: None
ABSENT: Foster
ABSTAIN: Loupe (has not been sworn in)

Mr. Gibbs: That's unanimous with Mr. Foster absent.

2010-0019
INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances, Chapter 14 Miscellaneous Provisions and Offenses, Section 14-3. Fireworks, to authorize the possession and the utilizing of fireworks on certain days in St. Charles Parish.

WHEREAS, the discharging of fireworks for Independence Day and New Years is an American tradition; and,

WHEREAS, the sale of fireworks is allowed in Lafourche Parish, St. John the Baptist Parish, and the City of Gretna, all in close proximity to St. Charles Parish, and many residents are utilizing fireworks in St. Charles Parish; and,

WHEREAS, the strict enforcement of the fireworks prohibition in St. Charles Parish is extremely hard to enforce due to the availability of fireworks in such close proximity to the Parish; and,

WHEREAS, this ordinance will allow residents to posses and to utilize fireworks for the celebration of each New Year and the celebration of the Independence of Our Nation on specific days and during specific hours.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 14 Miscellaneous Provisions and Offenses, Section 14 – 3 Fireworks (b) Exception. is hereby amended by adding the following:

- (3) The possession of fireworks in accordance with laws of the State of Louisiana is hereby allowed and along with the utilization such fireworks as allowed by the laws of the State of Louisiana is hereby allowed on July 3 from 9:00 a.m. to 10:00 p.m., July 4 from 9:00 a.m. to 10:00 p.m., December 31 from 9:00 a.m. to 1:00 a.m. on January 1, and January 1 from 9:00 a.m. to 10:00 p.m., provided such fireworks are not discharged within 1,000 feet of a gas station or industrial facility or within other location(s) specifically prohibited by ordinance.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2013-0208

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION A

ORDINANCE NO. _____

An ordinance directing the Parish Administration to expeditiously begin the process to fast-track the design and construction of 1) a replacement bulkhead and any other necessary related improvements in Des Allemands along Bayou Des Allemands between the Sunset Drainage District Levee (SDD) and a point toward the north to be identified during the design phase, 2) a certifiable floodwall along Badeaux Lane East with a floodgate crossing LA 306 with the floodwall tying into the SDD levee on each end, 3) a hump in Highway 90 with associated improvements in the immediate vicinity of the Paradis Canal to elevate the SDD levee from just south of Highway 90 to a point to be determined toward the north adjacent to LA 631, and 4) the raising of the crown of the SDD to the proposed Base Flood Elevations (BFE's) or higher elevations as may be needed, with these improvements being necessary to provide closure and flood protection to the District at an elevation at or above the proposed DFIRM BFE's in order to assist in the efforts to reduce the proposed BFE's in addition to simultaneously reducing the risk of flooding to the SDD; with funding to be provided for out of the Westbank Hurricane Protection Levee, Fund 310.

- WHEREAS, this ordinance shall be known as the **"2013 Closure Ordinance"**; and,
 WHEREAS, the Sunset Drainage District (SDD) is comprised of roughly 10,500 acres located on the Westbank of St. Charles Parish (SCP); and,
 WHEREAS, the towns of Paradis, Des Allemands, and Bayou Gauche are located within the SDD; and,
 WHEREAS, the majority of the structures built within the SDD were constructed at a minimum height of 12" above the street per Parish requirements; and,
 WHEREAS, the Parish height requirement was adopted as a standard for this area due to it being located within an X-flood zone as shown on the May 2, 1983 and the revised June 16, 1992 Flood Insurance Rate Map (FIRM) Community Panel Number 220160 0175C provided to the Parish by the Federal Government; and,
 WHEREAS, the overwhelming majority of the structures in the SDD were built at extremely low elevations as a result of following all Parish requirements in addition to the historical and current effective FIRMs put out by the Federal Government which were adopted by St. Charles Parish; and,
 WHEREAS, on December 6, 2012, revised preliminary Flood Insurance Study (FIS) and the revised preliminary Digital Flood Insurance Rate Map (DFIRM) for SCP was presented; and,
 WHEREAS, the proposed Base Flood Elevations (BFE) are well above the majority of the finish floor elevation of the residential structures within the SDD; and,
 WHEREAS, the difference between the BFE and the finish floor elevation of the majority of homes in the SDD are such that the flood insurance rates are not affordable; and will result in many homeowners facing foreclosure; and,
 WHEREAS, many residential property owners in this area in particular have been told that their actuarial risk-based premium rate are anticipated to increase over 4,700% over a 4 to 5 year period which equates to a premiums of over \$12,000 per year with some increases to exceed \$28,000 per year as we have come to learn; and,
 WHEREAS, such astronomical premium rate increases will result in an extreme number of individuals losing their homes to foreclosure; and,
 WHEREAS, these properties will not be marketable by the banks due to the astronomical premium rate increase resulting in vacant homes throughout the SDD; and,
 WHEREAS, properties that cannot sell will result in the lowering or the evaporating of property values within the SDD and the lowering of property taxes to SCP; and,
 WHEREAS, banks holding onto properties which are not sellable will have a negative impact on the banking industry; and,
 WHEREAS, the Assessor has advised some home owners that his office is putting together the depreciation factors to determine a revised assessment which will be heavily dependent upon the estimated actuarial flood insurance rates and a heavy slowdown in real estate transactions which is expected to result in an incurable obsolescence rate near 60%; and,
 WHEREAS, the public outcry relating to this dire situation which the residents, property owners, businesses, and the SCP Government itself is facing has been enormous to say the least and is unlike anything this Parish has ever seen before; and,

WHEREAS, numerous citizens in the SDD have requested that anything that can be done in an attempt to physically lower the proposed BFE's in order to minimize or eliminate the side effect of the astronomical premium increase must be pursued; and,

WHEREAS, SCP has committed to appeal the DFIRM's and has hired Dr. Joe Suhayda to coordinate and lead the Parish's efforts with the appeal in an effort to lower the BFE's; and,

WHEREAS, projects that can be designed and constructed in a relatively short period of time in order to assist Dr. Joe Suhayda's efforts to lower BFE's must be designed and constructed as quickly as possible; and,

WHEREAS, Dr. Suhayda has stated that any such projects would strengthen the Parish's ability to work out the DFIRM issues with FEMA if they see some willingness to take action to improve flood protection; and,

WHEREAS, there are four such projects in the SDD that can be implemented in an effort to have the proposed BFE lowered to reduce premiums to minimize or eliminate the side effects of the astronomical premium increases; and,

WHEREAS, one project, a bulkhead project, is to replace the deteriorating/failed bulkhead with a sheetpile wall with a top elevation of +/-7.0 feet as needed from the SDD Levee to a point north of the BNSF railroad that is to tie into a location of sufficient elevation to provide for flood protection, or to the LA 631 Bayou Des Allemands Bridge embankment at a minimum, with provisions to tie into a location of sufficient elevation to provide for flood protection; and,

WHEREAS, one project is the construction of a certifiable floodwall wall to elevation +/-9.0 feet on the north side of Badeaux Lane East from the SDD Levee at Kerry's Point to the SDD Levee north of the LA 306 bridge at Grand Bayou with a certifiable flood gate at its crossing with LA 306; and,

WHEREAS, one project is to add a hump in Highway 90 at the Paradis Canal in order to elevate the Highway to elevation +/-7.0 feet in order to allow the raising and the extension of the SDD levee to the Highway and onward to LA 631; and,

WHEREAS, one project is the raising of all portions of the SDD Levee which fall below the elevation of the proposed DFIRM BFE up to an elevation that equals or exceeds the BFE as may be determined to be needed in some areas; and,

WHEREAS, the St. Charles Parish Council (SCPC) adopted Ordinance No. 08-10-7 on October 20, 2008 to approve and authorize the execution of a contract for engineering services with Burk-Kleinpeter, Inc. for professional engineering services associated with Parish Project No. P080905 St. Charles Parish Westbank Hurricane Protection Levee and Urban Flood Control; and,

WHEREAS, the design of these projects fall under the purview of this existing contract; and,

WHEREAS, the Westbank Hurricane Protection Levee, Fund 310 has a current balance of roughly \$27,000,000; and,

WHEREAS, the Westbank Hurricane Protection Levee Fund is projected to have a remaining balance in excess of \$18,000,000 after deducting the projected cost to construct the Willow Ridge Levee; and,

WHEREAS, the estimated cost for the design and construction of these Westbank Hurricane Protection Levee projects is approximately \$10,000,000; and,

WHEREAS, the Lafourche Basin Levee District (LBLD) has over \$5,000,000 in funds available for use in providing levee construction and levee improvements to St. Charles Parish upon being directed to do so by the Parish President; and,

WHEREAS, the project to raise all portions of the SDD Levee, which fall below the elevation of the proposed DFIRM BFE, up to an elevation that equals or exceeds the BFE as may be needed in some areas, can be performed by the LBLD upon a simple request by the Parish President to do so; and,

WHEREAS, irrespective of any effect on lowering the BFE's, these projects will address areas of weakness whereby decreasing the risk of flooding to homes and property within the SDD; and,

WHEREAS, the closing in of the SDD as a result of these projects will provide for a secondary line of defense behind the proposed Westbank Hurricane Protection System that is proposed to extend from the Davis Diversion east guide levee to Bayou Lafourche, should it ever be designed, funded, and constructed; and,

WHEREAS, Parish President V.J. St. Pierre has stated that FEMA will not recognize a levee system unless it is a closed-in system; and,

WHEREAS, these improvements will provide for a closed-in system surrounding the communities of Paradis, Des Allemands, and Bayou Gauche; and,

WHEREAS, these improvements provide for the health, safety, and welfare of people living within the communities of Paradis, Des Allemands, and Bayou Gauche.

NOW, THEREFORE BE IT ORDAINED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby direct the Parish Administration to expeditiously begin the process to fast-track the design and construction of 1) a replacement bulkhead and any other necessary related improvements in Des Allemands along Bayou Des Allemands between the Sunset Drainage District Levee (SDD) and a point toward the north to be identified during the design phase, 2) a certifiable floodwall along Badeaux Lane East with a floodgate crossing LA 306 with the floodwall tying into the SDD levee on each end, 3) a hump in Highway 90 with associated improvements in the immediate vicinity of the Paradis Canal to elevate the SDD levee from just south of Highway 90 to a point to be determined toward the north adjacent to LA 631, and 4) the raising of the crown of the SDD to the proposed Base Flood Elevations (BFE's) or higher elevations as may be needed, with these improvements being necessary to provide closure and flood protection to the District at an elevation at or above the proposed DFIRM BFE's in order to assist in the efforts to reduce the proposed BFE's in addition to simultaneously reducing the risk of flooding to the SDD; with funding to be provided for out of the Westbank Hurricane Protection Levee, Fund 310.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

ORD - SDD Projects (06-01-13)

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2013-0209
INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____

An ordinance directing the Parish President to execute an Intergovernmental Agreement with the Sunset Drainage District to provide for an operating subsidy for fiscal year 2013 for the operation and maintenance of the District's drainage system in the amount of \$282,307.00 with funding from the General Fund.

- WHEREAS, the revenues of the Sunset Drainage District (SDD) are insufficient to cover the entire cost of operating the District; and,
- WHEREAS, the Board of Directors of the SDD has requested that St. Charles Parish subsidize their operations for fiscal year 2013 in the amount of \$282,307.00; and,
- WHEREAS, the previous request for funding was not approved following the Parish Administration's request not to provide the subsidy so as to the SDD to run out of operating funds in order for the Parish to take over the SDD; and,
- WHEREAS, it would be fiscally irresponsible for the Parish to take over the SDD since it would cost all taxpayers of the Parish more to operate the SDD than the requested subsidy amount; and,
- WHEREAS, the amount of the subsidy is many times less than the portion of the Parish-wide drainage taxes would have to be spent in the SDD should the Parish take over the SDD; and,
- WHEREAS, all other areas of the Parish are benefiting by the Parish not having control of the SDD by allowing the tax money collected for drainage that would otherwise have to be spent in the SDD to be spent improving other areas of the Parish instead; and,
- WHEREAS, the SDD has the ability to raise its levees to increase flood protection at a fraction of the cost of what it would take the Parish; and,
- WHEREAS, the desire of the Parish Council is to provide the subsidy in order to allow the SDD to increase its flood protection; and,
- WHEREAS, the intergovernmental agreement states that the SDD Board agrees to allow and to authorize St. Charles Parish Government to make all decisions, to grant any and all approvals, and to grant any permissions necessary on its behalf, relating to the incorporating of the District's levee into any future flood protection project or projects and to undertake the design, construction, and funding of any projects located within the boundary of the District which will enhance and/or increase flood protection to the District; and,
- WHEREAS, the intergovernmental agreement states that the SDD Board agrees to enter into any and all Cooperative Endeavor Agreements with St. Charles Parish or any other entity that may be required in association with the incorporating of the District's levee into any future flood protection project or projects; and,
- WHEREAS, with these provisions contained within the Intergovernmental agreement, the Parish will have the rights and the authority to act on the behalf of the SDD Board with respect to the incorporating of the SDD levee into any future flood protection project or projects which the Parish undertakes while allowing the SDD Board to continue in its mission.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the intergovernmental Agreement by and between the Parish of St. Charles and the Sunset Drainage District is hereby approved.

SECTION II. That the Parish President is hereby directed to execute said agreement on behalf of the St. Charles Parish Council.

SECTION III. That \$282,307.00 of the General Fund is hereby appropriated to fund the operating subsidy to the Sunset Drainage District.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

INTERGOVERNMENTAL AGREEMENT

This Agreement is made and entered into this _____ day of _____, 2013, by and between:
PARISH OF ST. CHARLES, P.O. Box 302, 15045 River Road, Hahnville, Louisiana 70057, a political subdivision of the State of Louisiana, operating under the provisions of the St. Charles Parish Home Rule Charter, herein represented by V.J. St. Pierre, Jr., Parish President, duly authorized by Ordinance No. _____, adopted by the Parish Council on the _____ day of _____, 2013.

AND
SUNSET DRAINAGE DISTRICT, 197 Badeaux Lane, Bayou Gauche, Louisiana, 70030, a political subdivision of the State of Louisiana, created by Ordinance No. 4-17-24 of the St. Charles Parish Police Jury, pursuant to Article XV of the 1921 Constitution of the State of Louisiana, herein represented by Eric Matherne, President, duly authorized by a resolution of its Board of Directors on the _____ day of _____, 2013.

WHEREAS, the Constitution of the State of Louisiana (Article VII, Section 14.C) provides that political subdivisions may engage in cooperative endeavors for public purposes; and,
WHEREAS, oil and gas royalty revenues of the Sunset Drainage District have drastically declined in recent years; and,
WHEREAS, the acreage tax levied by the district is presently insufficient to cover the cost of operating the district; and,
WHEREAS, the Sunset Drainage District Board of Directors has requested that St. Charles Parish temporarily subsidize the operations of the District for fiscal year 2013 in the amount of \$282,307.00; and,
WHEREAS, the St. Charles Parish Council appropriated \$282,307.00 of the General Fund Budget as an operating subsidy to the Sunset Drainage District for fiscal year 2013.

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter set forth to be kept and performed by the parties hereto, it is agreed by and between the parties as follows:

SECTION I. The Parish hereby agrees to subsidize the operations of the Sunset Drainage District in the amount of \$282,307.00 for fiscal year 2013 in equal quarterly installments.

SECTION II. The Sunset Drainage District Board hereby agrees to adequately maintain the drainage system within the boundaries of the district to protect the lives and property of the citizens residing within the district.

SECTION III. The Parish and the Sunset Drainage District Board hereby agree to recognize said subsidy in the efforts of the Parish to acquire certain property known as Lot 761 of the Sunset Drainage District.

SECTION IV. The Sunset Drainage District Board hereby agrees to allow and to authorize St. Charles Parish Government to make all decisions, to grant any and all approvals, and to grant any permissions necessary on its behalf, relating to the incorporating of the District's levee into any future flood protection project or projects and to undertake the design, construction, and funding of any projects located within the boundary of the District which will enhance and/or increase flood protection to the District.

SECTION V. The Sunset Drainage District Board agrees to enter into any and all Cooperative Endeavor Agreements with St. Charles Parish or any other entity that may be required in association with the incorporating of the District's levee into any future flood protection project or projects.

THUS DONE, EXECUTED AND SIGNED in St. Charles Parish, Louisiana, on the day, month and year first above written, in the presence of the below listed witnesses.

WITNESSES

PARISH OF ST. CHARLES

BY: _____
V.J. ST. PIERRE, JR.
PARISH PRESIDENT

SUNSET DRAINAGE DISTRICT

BY: _____
ERIC MATHERNE
PRESIDENT

2013-0237

David G. Wedge
307 Second Street, Des Allemands, LA 70030
Phone: (504) 481 0719
Email: wedgeda@aol.com



June 21, 2013

St Charles Parish Council
15045 River Road
Hahnville, La.
70057

Council Members,

I would like to address the council at the July 1, 2013 about the actions of parish administration, levees and the takeover of the Sunset Drainage District.

Respectfully,

A handwritten signature in cursive script, appearing to read "David Wedge".

David Wedge

2013-0231

**INTRODUCED BY: LARRY COCHRAN, COUNCILMAN, DISTRICT V
CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION, A
CLAYTON FAUCHEUX, JR., COUNCILMAN-AT-LARGE, DIVISION B
TERRELL D. WILSON, COUNCILMAN, DISTRICT I
JULIA FISHER-PERRIER, COUNCILWOMAN, DISTRICT VII**

RESOLUTION NO. _____

A resolution to request that the Parish President introduce a budget amendment to the 2013 Consolidated Operating and Capital Budget to allocate \$300,000.00 for improvements to the Sunset Pump Station.

WHEREAS, the St. Charles Parish Department of Public Works has inspected the Sunset Pump Station and determined that certain improvements are necessary to enhance the reliability and functionality of said station in anticipation of the transfer of the operational responsibility of the station to the Department of Public Works; and,

WHEREAS, on June 13, 2013 the Board of Commissioners of the Sunset Drainage District indicated its agreement to make said transfer effective October 1, 2013; and,

WHEREAS, it is the desire of the Parish Council to have funding in place for October 1, 2013, or sooner if said transfer of the governing authority of the District is completed prior to that date, to allow the Department of Public Works to immediately begin improvements.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby request that the Parish President introduce an Ordinance at the July 1, 2013 Parish Council meeting, for consideration by the Council at its July 15, 2013 meeting, to amend the 2013 Consolidated Operating and Capital Budget to allocate \$300,000.00 for improvements to the Sunset Pump Station.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

Budget Amendment for Sunset Pump Station

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2013-0147

RESOLUTION NO. _____

A resolution to appoint a member to the
Planning & Zoning Commission as the District III
Representative.

WHEREAS, There exists a vacancy on the PLANNING & ZONING
COMMISSION; due to the expiration of the term of Mr. John R. Gibbs on
May 31, 2013; and,

WHEREAS, it is the desire of the Parish Council to fill this vacancy; and,
NOW, THEREFORE, BE IT RESOLVED, that _____

is hereby appointed to the PLANNING & ZONING COMMISSION as the District III
Representative; and,

BE IT FURTHER RESOLVED that said appointment shall be effective
MAY 31, 2013 and shall expire MAY 31, 2017

The foregoing resolution having been submitted to a vote, the vote thereon was
as follows:

And the resolution was declared adopted this _____ day of _____, 2013,
to become effective five (5) days after publication in the Official Journal.

APPOINT P & Z, Dist. 3

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____